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REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Note by the Secretary-General

1. The Secretary-General has the honour to transmit to the members of the General Assembly the twenty-seventh report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, which was submitted to him in accordance with paragraphs 5, 6 and 7 of Assembly resolution 49/36 A of 9 December 1994. The present report should be considered together with the Special Committee's periodic reports contained in documents A/50/170 and A/50/282, which were transmitted to the members of the Assembly on 24 March 1995 and 23 May 1995 respectively.

2. The present report contains a summary of articles and reports received during the period covered by the present document. In preparing the report, the newspapers mentioned below have been taken into account. Reference to reports appearing in the Arab press published in the occupied territories is made when they contain relevant material not found in the Israeli newspapers listed below. The terminology used in the report is that found in the original version of the summarized newspaper reports.

Israeli press	Ha'aretz	(Hebrew language daily)
	Jerusalem Post	(English language daily)
Arab press published in the occupied territories	Al-Tali'ah	(Arabic language daily)
	The Jerusalem Times	(English language daily)

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LETTER OF TRANSMITTAL

18 August 1995

Sir,

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories has the honour to transmit herewith its twenty-seventh report, prepared in accordance with General Assembly resolution 2443 (XXIII) of 19 December 1968, by which the Special Committee was established, and resolution 49/36 A of 9 December 1994, the latest resolution by which the General Assembly renewed its mandate.

This report covers the period from 26 August 1994, the date of the adoption of the twenty-sixth report of the Special Committee, to 18 August 1995. The report is based on written information gathered from various sources, in particular Israeli press reports as well as articles appearing in the Arab press published in the occupied territories. It also includes oral information received by the Special Committee through testimonies of persons having first-hand experience of the human rights situation in the occupied territories. Written information concerning the period from 27 August to 31 December 1994 is reflected in the periodic report the Special Committee presented to you on 24 March 1995 (A/50/170). Written information concerning the period from 1 January to 31 March 1995 is reflected in the periodic report the Special Committee presented to you on 23 May 1995 (A/50/282). These periodic reports have been submitted in accordance with paragraph 6 of General Assembly resolution 49/36 A, in which the Assembly requested the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory.

For the purpose of collecting oral testimonies the Special Committee again organized hearings that were held at Cairo, Amman and Damascus. The Special Committee continued to monitor statements by members of the Government of Israel reflecting the policies of that Government in the occupied territories and reports on measures taken to implement them. The Special Committee further noted the letters addressed to you during the period of this report relating to its mandate and circulated as documents of the General Assembly, and received information from Governments, organizations and individuals on various aspects of the situation in the occupied territories.

In carrying out its mandate, the Special Committee benefited from the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic and from the cooperation of Palestinian representatives. However, the Government of Israel has continued to withhold its cooperation.

His Excellency
Mr. Boutros Boutros-Ghali
Secretary-General of the United Nations
New York

In preparing its report the Special Committee has attempted to put before you a composite picture of the realities in the occupied territories as they affect the human rights of the civilian population. By this letter the Special Committee wishes to draw your attention to a number of aspects that deserve particular mention.

The period covered by the Special Committee's twenty-seventh report follows the signing at Cairo on 4 May 1994 of the Israel-Palestine Liberation Organization (PLO) Agreement on the Gaza Strip and the Jericho Area and the subsequent establishment of the Palestinian National Authority. This historic event, which was preceded by the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, gave rise to very high expectations concerning the improvement of the human rights situation in the occupied territories among their population. It was expected that these agreements would usher in a new era, with the establishment of peace, justice, understanding and respect for human rights in the region. It is in this spirit that the Special Committee has approached its responsibility in carrying out its mandate.

The information contained in the twenty-seventh report of the Special Committee shows, however, that the general situation of human rights in the territories still remained very serious and a matter for grave concern.

A major factor contributing to the lack of improvement in the human rights situation was the repeated closures that were imposed on the occupied territories by the Israeli authorities after serious security incidents that took place in Israel during the period under review. The incidents were caused by groups on both sides who are opposed to the peace agreements. The closures have entailed a significant deterioration of the economic and social situation in the occupied territories, in particular in the Gaza Strip.

The closures have led to a significant reduction in the number of Palestinians allowed to work in Israel, who have been replaced by large numbers of foreign workers. The consequences of the closure of the Gaza Strip were particularly severe for agriculture and the export of agricultural produce and were described as a state of economic blockade.

Freedom of movement in the Gaza Strip and West Bank was restricted by the reduction in the number of persons having access to Israel and East Jerusalem. The imposition of transportation requirements made it necessary to change vehicles at the border. The restrictions imposed on freedom of movement have had adverse consequences in the field of health as few permits were issued even to patients with serious ailments. Education has also been affected and numerous students from Gaza have lost their academic year. The Committee noted with concern the recent restriction regarding the access of students from the West Bank and Gaza Strip to educational institutions in East Jerusalem.

The closures of the occupied territories have had a negative influence on the freedom of worship of both Muslims and Christians. Access to Israel and East Jerusalem was also denied during a number of Israeli public holidays. It is estimated that 100,000 fewer worshippers were able to attend prayers at the Al-Aqsa Mosque during the month of Ramadan.

A continuing source of tension in the occupied territories is the existence of Israeli settlements. The expansion of already existing settlements has continued unabated. The Government of Israel has withheld official financial support to settlement expansion but has not prevented private funding of such activities. Large quantities of Arab-owned land have continued to be confiscated for settlement expansion, the building of security roads connecting settlements, for quarries and natural reserves. Construction has continued on both sides of the Green Line. According to witnesses who appeared before the Special Committee, there would be no security in the occupied territories until the settlements were removed.

A factor giving rise to considerable tension in the occupied territories is the presence of settlers whose conduct has become more violent and aggressive during the period covered by this report. The situation caused by the settlers is particularly tense in Hebron. Settlers have repeatedly attacked Palestinians, including children and the elderly, and vandalized their property, in most cases with complete impunity. Settlers have been able to behave in this way owing in large part to the lack of action or the outright protection by Israeli soldiers.

The situation regarding the expropriation of Arab-owned land and the expansion of settlements is particularly serious in Jerusalem. If completed, the building projects comprising "Greater Jerusalem" will reach Jericho and convert the surrounding Palestinian villages into isolated islands. The Israeli authorities have carried out a policy aimed at reducing the number of Arabs in Jerusalem and altering the demographic composition of the city. Criticism voiced by the international community prompted the Israeli authorities to abandon their intention of confiscating 133 acres of land owned by Arabs. The Special Committee noted with concern the archaeological excavations in Jerusalem which endanger the Al-Aqsa Mosque, the second holiest shrine for Muslims. Testimonies have revealed that severe restrictions imposed on persons authorized to enter the city have seriously jeopardized the freedom of religion for both Muslims and Christians.

The overall level of violence and number of deaths in the occupied territories has declined but the nature of the violence perpetrated by the Israel Defence Forces was of an aggravated kind. The Special Committee was also informed that Israeli soldiers now sought to ensure the death of a person by repeatedly shooting at the head at close range. In addition, the activities of undercover units were said to continue unchecked. Undercover units are also reported to have carried out operations against wanted persons in areas under the control of the Palestinian Authority.

The situation of Palestinian prisoners detained in prisons in the occupied territories and in Israel has not improved. The Special Committee noted with particular concern that members of the Israeli General Security Service had received "exceptional dispensations" enabling aggravated forms of torture to be inflicted during interrogations of persons arrested for security reasons, sometimes resulting in their deaths.

The conditions of detention have actually deteriorated since the signing of the Oslo and Cairo Agreements. The principal complaints voiced by prisoners

against their conditions of detention concern the quality and quantity of food they receive, the overcrowding of cells, prolonged exposure to inclement weather conditions, repeated head counts, including during the night, lack of cleanliness, insufficient medical treatment and solitary confinement.

A situation that has generated considerable tension among the population of the occupied territories and has jeopardized the peace process has been the question of the release of Palestinian prisoners in accordance with the terms of the Israel-PLO Agreement on the Gaza Strip and the Jericho Area, which has fallen behind schedule. Some 5,400 Palestinian prisoners still remain in Israeli detention centres.

During the period under review, deficiencies continued to be noted in the administration of justice by the Israeli authorit es. The severity of the sentences handed down to Palestinians still contrasted sharply with those meted out to Israelis and settlers. The trials of settlers reportedly took place two or three years after the offences were committed.

The Special Committee has endeavoured, within the constraints imposed on it, to provide in its periodic reports (A/50/170 and A/50/282) and in the present twenty-seventh report a clear picture of the situation of human rights in the occupied territories. The hopes and expectations that have been expressed over the last two years by the inhabitants of the occupied territories since the signing of the historic agreements in Washington, D.C., and Cairo between Israel and the PLO have given way to disillusion and scepticism towards the peace process among the overwhelming majority of persons whom the Special Committee has interviewed. Despite the positive developments cited above, the status of occupation continues and Israel should abide by its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and other relevant international instruments. The progress achieved within the framework of the peace process must be accompanied by full compliance with all universally accepted standards of human rights in the true spirit of peace.

The Special Committee has once again made a number of recommendations at the end of this report. In addition to those of a general nature, the Special Committee has appealed to Israel to act in conformity with the spirit animating the peace process by giving serious consideration to a number of concrete measures (see conclusions and recommendations).

In conclusion, the Special Committee is of the view that despite the signing of the Declaration of Principles and the Cairo Agreement, unless progress is made with regard to the enjoyment of human rights by all the inhabitants of the occupied territories, support for the peace process will erode further and give way to despair. All the parties concerned must endeavour to build a truly meaningful culture of respect for human rights in the occupied territories so that the recent significant achievements may enable the people of the region to live together in dignity, peace, security and mutual respect. The progress in the peace process has to go hand in hand with full compliance with all relevant United Nations resolutions and all universally accepted standards of human rights.

Accept, Sir, the assurances of my highest consideration.

(Signed) Herman Leonard DE SILVA

Chairman of the Special Committee to
Investigate Israeli Practices Affecting the
Human Rights of the Palestinian People and
Other Arabs of the Occupied Territories

I. INTRODUCTION

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories was established by the General Assembly by its resolution 2443 (XXIII) of 19 December 1968. By that resolution, the Assembly decided to establish the Special Committee, composed of three Member States; requested the President of the Assembly to appoint the members of the Special Committee; requested the Government of Israel to receive the Special Committee, to cooperate with it and to facilitate its work; requested the Special Committee to report to the Secretary-General as soon as possible and whenever the need arose thereafter; and requested the Secretary-General to provide the Special Committee with all the necessary facilities for the performance of its task.

2. The Special Committee is composed as follows: Mr. Herman Leonard de Silva, Permanent Representative of Sri Lanka to the United Nations, Chairman; Mr. Ibra Déguène Ka, Ambassador of Senegal to the Swiss Confederation and Permanent Representative of Senegal to the United Nations Office at Geneva; and Mr. Abdul Majid Mohamed, Ambassador of Malaysia to the United States of America.

3. Since October 1970, the Special Committee has submitted 26 reports. 1/ These reports were discussed in the Special Political Committee, which then reported to the General Assembly. 2/ On the recommendation of the Special Political Committee, the Assembly adopted resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971, 3005 (XXVII) of 15 December 1972, 3092 A and B (XXVIII) of 7 December 1973, 3240 A to C (XXIX) of 29 November 1974, 3525 A to D (XXX) of 15 December 1975, 31/106 A to D of 16 December 1976, 32/91 A to C of 13 December 1977, 33/113 A to C of 18 December 1978, 34/90 A to C of 12 December 1979, 35/122 A to F of 11 December 1980, 36/147 A to G of 16 December 1981, 37/88 A to G of 10 December 1982, 38/79 A to H of 15 December 1983, 39/95 A to H of 14 December 1984, 40/161 A to G of 16 December 1985, 41/63 A to G of 3 December 1986, 42/160 A to G of 8 December 1987, 43/58 A to G of 6 December 1988, 44/48 A to G of 8 December 1989, 45/74 A to G of 11 December 1990, 46/47 A to G of 9 December 1991, 47/70 A to G of 14 December 1992, 48/41 A to D of 10 December 1993 and 49/36 A to D of 9 December 1994.

4. The present report has been prepared in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX), 31/106 C and D, 32/91 B and C, 33/113 C, 34/90 A to C, 35/122 C, 36/147 C, 37/88 C, 38/79 D, 39/95 D, 40/161 D, 41/63 D, 42/160 D, 43/58 A, 44/48 A, 45/74 A, 46/47 A, 47/70 A, 48/41 A and 49/36 A.

II. ORGANIZATION OF WORK

5. The Special Committee continued its work under the rules of procedure contained in its first report to the Secretary-General. 3/

6. In its resolution 49/36 A, the General Assembly:

"5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

"6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory;

"7. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967".

7. Mr. Herman Leonard de Silva replaced Mr. Stanley Kalpagé as Chairman of the Special Committee as at 9 February 1995.

8. The Special Committee held the first of its series of meetings from 22 to 24 March 1995 at Geneva. The activities of the Special Committee during those meetings are reflected in document A/50/170 (paras. 3-6).

9. The Governments of Egypt, Jordan and the Syrian Arab Republic as well as the Observer for Palestine subsequently responded to the Special Committee's request for cooperation (see A/50/170 (para. 4)), reconfirming their readiness to continue cooperating with the Special Committee. As in the past, the Government of Israel did not respond to the request for cooperation of the Special Committee.

10. The Special Committee held a second series of meetings at Geneva (12 May 1995), Cairo (13-16 May 1995), Amman (17-21 May 1995) and Damascus (22-23 May 1995). At those meetings, the Committee examined information on developments occurring in the occupied territories between January and March 1995. It had before it a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate. At Cairo, Amman and Damascus the Special Committee heard the testimonies of persons who had just returned from or were living in the Gaza Strip, the West Bank and the occupied Syrian Arab Golan and concerning the situation in those territories.

11. At Cairo, the Special Committee was received at the Ministry of Foreign Affairs by the Director of the Department of Israeli Affairs, Mr. Mohamed Jamaleddine Al-Bayoubi. It also met with Mrs. Naila Gabr, the head of the Human Rights Department, and with a representative of the Department for Palestinian Affairs. In addition, the Committee visited the Palestine Red Crescent Hospital where it heard the testimony of several patients, residents of

the territories. While at Cairo, the Committee also had the opportunity to hear witnesses from the West Bank and Gaza.

12. At Amman, the Special Committee was received by the Director-General of the Department of Palestinian Affairs of the Ministry for Foreign Affairs, Mr. Ibrahim Tarshihi, and was informed about the most recent developments in the occupied territories. During its stay at Amman, the Committee also met with the Secretary-General of the Palestinian National Council, Mr. Faruk Abu Al Rub, and other Palestinian representatives. While in Jordan, the Committee visited the King Hussein Bridge where it heard the testimony of Palestinians who had just crossed over from the West Bank. At the Bridge, the Committee was able to observe many pilgrims who were compelled to wait for long periods before being allowed to return to the West Bank.

13. At Damascus, the Special Committee was received by the Minister of State for Foreign Affairs, Mr. Nasser Kaddour. It also met with Mr. Taher Al-Husami, Director of the Department of International Organizations and Conferences, Ministry of Foreign Affairs, and was presented with a report concerning the human rights situation in the occupied Syrian Arab Golan. During its stay in the Syrian Arab Republic, the Committee visited Quneitra province, bordering the occupied Syrian Arab Golan, where it heard the testimony of a number of witnesses. It met with the Governor of Quneitra and other high-ranking officials of the province and was presented with a report on Israeli practices against the Syrian Arab citizens in the occupied Golan.

14. The Special Committee examined and completed a periodic report (A/50/282) updating information contained in its previous periodic report (A/50/170). It decided that any further information and evidence relevant to its mandate would be reflected, together with its conclusions, in the present report.

15. On 23 May 1995, the Chairman of the Special Committee transmitted to the Secretary-General its periodic report covering the period from 1 January to 31 March 1995 (A/50/282). That report was based on written information gathered from various sources among which the Special Committee had selected relevant excerpts and summaries, which were reflected in the report.

16. The Special Committee met again at Geneva from 14 to 18 August 1995. At those meetings, the Committee examined information on developments occurring in the occupied territories from April to August 1995. It had before it a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate, as well as records of testimonies collected during its previous series of meetings. It examined and completed the present report on 18 August 1995.

III. MANDATE

17. The General Assembly, in its resolution 2443 (XXIII), entitled "Respect for and implementation of human rights in occupied territories", decided to establish a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States.

18. In its resolution 44/48 A, the General Assembly decided to change the name of the Special Committee to "Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

19. The mandate of the Special Committee, as set out in resolution 2443 (XXIII) and subsequent resolutions, was to investigate Israeli practices affecting the human rights of the population of the occupied territories.

20. In interpreting its mandate, the Special Committee determined that:

(a) The territories to be considered as occupied territories referred to the areas under Israeli occupation, namely, the occupied Syrian Arab Golan, the West Bank (including East Jerusalem), the Gaza Strip and the Sinai Peninsula. Following the implementation of the Egyptian-Israeli Agreement on Disengagement of Forces of 18 January 1974 and the Agreement on Disengagement between Israeli and Syrian Forces of 31 May 1974, the demarcation of the areas under occupation was altered as indicated in the maps attached to those agreements. The areas of Egyptian territory under Israeli military occupation were further modified in accordance with the Treaty of Peace between the Arab Republic of Egypt and the State of Israel, which was signed on 26 March 1979 and which came into force on 25 April 1979. On 25 April 1982, the Egyptian territory remaining under Israeli military occupation was restituted to the Government of Egypt in accordance with the provisions of the aforementioned agreement. Thus, for the purposes of the present report, the territories to be considered as occupied territories are those remaining under Israeli occupation, namely, the occupied Syrian Arab Golan, the West Bank, including East Jerusalem, and the Gaza Strip;

(b) The persons covered by resolution 2443 (XXIII) and therefore the subject of the investigation of the Special Committee were the civilian population residing in the areas occupied as a result of the hostilities of June 1967 and those persons normally a resident in the areas that were under occupation but who had left those areas because of the hostilities. However, the Committee noted that resolution 2443 (XXIII) referred to the "population" without any qualification as to any segment of the inhabitants of the occupied territories;

(c) The "human rights" of the population of the occupied territories consisted of two elements, namely, those rights which the Security Council referred to as "essential and inalienable human rights" in its resolution 237 (1967) of 14 June 1967 and, secondly, those rights which found their basis in the protection afforded by international law in particular circumstances such as military occupation and, in the case of prisoners of war, capture. In accordance with General Assembly resolution 3005 (XXVII), the Special Committee was also required to investigate allegations concerning the exploitation and the looting of the resources of the occupied territories, the pillaging of the archaeological and cultural heritage of the occupied territories, and interference in the freedom of worship in the Holy Places of the occupied territories;

(d) The "policies" and "practices" affecting human rights that came within the scope of investigation by the Special Committee referred, in the case of

"policies", to any course of action consciously adopted and pursued by the Government of Israel as part of its declared or undeclared intent; while "practices" referred to those actions which, irrespective of whether or not they were in implementation of a policy, reflected a pattern of behaviour on the part of the Israeli authorities towards the civilian population in the occupied areas.

The geographical names as well as the terminology employed in the present report reflect the usage in the original source and do not imply the expression of any opinion whatsoever on the part of the Special Committee or the Secretariat of the United Nations.

21. Since its inception the Special Committee has relied on the following international instruments in interpreting and carrying out its mandate:

(a) The Charter of the United Nations;

(b) The Universal Declaration of Human Rights;

(c) The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 4/

(d) The Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949; 5 /

(e) The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954; 6/

(f) The Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land; 7/

(g) The International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. 8/

22. The Special Committee has also relied on those resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs, the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights, as well as the relevant resolutions of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the International Labour Organization (ILO).

IV. INFORMATION AND EVIDENCE RECEIVED BY THE SPECIAL COMMITTEE

23. In the course of carrying out its mandate, the Special Committee has relied on the following sources:

(a) The testimony of persons with first-hand knowledge of the situation of the population in the occupied territories;

(b) Reports in the Israeli press, including of pronouncements by responsible persons in the Government of Israel;

(c) Reports appearing in other news media, including the Arab language press published in the occupied territories, in Israel and the international press.

24. The Special Committee also received written statements from the Governments of Egypt and the Syrian Arab Republic, and from the Observer for Palestine, as had been the practice in previous years. No communications were received from the Government of Jordan during the current reporting period.

25. The Government of Egypt has provided the Special Committee with the resolution of the Assembly of the Egyptian People concerning the confiscation of Arab land in Jerusalem, which was adopted on 27 May 1995.

26. The Government of the Syrian Arab Republic has provided the Special Committee with a report prepared by the Department of International Organizations and Conferences of the Ministry of Foreign Affairs, which deals in particular with Israeli practices in the occupied Syrian Arab Golan. The report indicated, inter alia, that

> "Since the beginning of the occupation, the Israeli occupation authorities have promulgated legislative enactments to facilitate their annexation of land in the occupied Syrian Golan. All land that is not owned by individuals is regarded as being the property of the occupation authorities and all land and real estate owned by Syrian citizens whom those authorities themselves prevented from returning to their villages in the wake of the June 1967 aggression has been expropriated by the occupation authorities under the terms of the so-called Absentees's Property Law. The Israeli occupation authorities have also expropriated vast areas of Syrian-owned land on the pretext of security requirements and the public interest. In this way, the Israeli occupation authorities have seized 80 per cent of the total area of the occupied Syrian Golan, including land situated along the entire cease-fire lines and they have constructed more than 36 settlements, in addition to many military and paramilitary settlements, the number of which has not yet been ascertained."

The report indicated further that:

> "The Israeli occupation authorities have seized control of Lake Ram, the largest area of water in the occupied Syrian Golan, as a result of which the villages in the occupied Syrian Golan are suffering from a severe shortage of drinking and irrigation water owing to the diversion of the waters of this lake to the Israeli settlements to meet the needs of settlers and their agricultural and industrial projects in the occupied Syrian Golan.

In addition, the report stated that:

> "The Israeli occupation authorities are imposing restrictions on the use of water in the occupied Syrian Golan. Water consumption in the occupied Syrian Golan is subject to the full control of the Israeli occupation authorities, who manage it in accordance with a quota system under which the annual per capita volume of water supplied to Syrian citizens amounts to no more than 120 cubic metres, while the settlers receive an annual per capita volume of 600 cubic metres. Moreover, Syrian citizens are charged US$ 1.6 per cubic metre of water, while the settlers are charged only US$ 0.6 for the same volume."

The report also contained information about the lack of equality before the law of Israelis and the citizens of the Syrian Arab Golan, the critical economic situation owing to high taxes and the low prices of their products, the uprooting of trees and about limited job opportunities. In addition, the report dealt with the high cost of medical treatment as well as with the conditions of detention of the citizens of the occupied Syrian Golan. The Governor of Quneitra province also provided the Special Committee with a report on Israeli practices against the Syrian Arab citizens in the occupied Golan. The report indicated, inter alia, that:

> "The inhuman Israeli practices include the different material, political, economic, cultural and social situations of the Arab citizens in the occupied region of the Syrian Arab Golan Heights; in addition to the pursuit of the settlement policy and creeping over the Arab territories, the destruction of the urban centres and the plight of relics, the exploitation and confiscation of the territories, natural resources and water sources."

The report also contained information about the precarious "health conditions and chronic diseases" of detainees, the establishment of "military zones within villages", the confiscations of water resources, the "heavy taxes imposed on the agricultural production that reach sometimes up to 50 per cent of the production value" as well as "the deterioration of interest in health affairs and the necessary health medical care" on the part of the occupation authorities.

27. The Special Committee also received documents submitted by the Palestine Liberation Organization (PLO). Among these documents, mention can be made of the report submitted by the Palestinian representatives in Jordan, which deals with Israeli practices and violations after the signing of the Oslo Agreement between the PLO and the Government of Israel. The report mentions the situation concerning the international "corridors" and "arbitrary restrictions" imposed on the freedom of movement of Palestinians on a daily basis. It also deals with the "iron fist" policy applied by the Israeli authorities to "all the towns and villages in the West Bank and the Gaza Strip", which includes waiting for a long time at the points of passage between the occupied territories and Israel, the restrictions imposed on the families of detainees with regard to visits, searches of buses in conditions that are difficult for the passengers and the long closures of the West Bank and the Gaza Strip as a measure of collective punishment, which are conducive to both the mental and economic exhaustion of

the Palestinian citizen. In addition, the report deals with the situation of Jerusalem, the policy of land confiscation and with settlements. Finally, the report dwells on the issue of detainees, the security corridor between the Gaza Strip and the Jericho Area, the passage of goods and the demolition and sealing of houses. In May 1995, the Permanent Observer of Palestine to the United Nations Office at Geneva transmitted a statement by the Ministry of Information of the Palestinian National Authority issued in the wake of the death of a Palestinian detainee who died from injuries inflicted by Israeli interrogators.

28. In addition, the Special Committee received written information from intergovernmental organizations such as relevant specialized agencies, United Nations organs and regional organizations, as well as non-governmental organizations, individuals and Governments on the situation in the occupied territories. At its meetings, the Committee had before it several communications referred to it by the Secretary-General from sources outside and inside the occupied territories. Where necessary, the Committee has followed up information contained in these communications.

29. The Special Committee undertook a series of hearings at Cairo, Amman and Damascus during its meetings from 13 to 23 May 1995. At those meetings, the Special Committee heard the testimony of 26 persons having first-hand knowledge of the human rights situation existing in the occupied territories. These testimonies are contained in documents and are reflected in the present report.

30. The Special Committee has taken particular care to rely on information appearing in the Israeli press that has not been contradicted by the Government of Israel.

31. The following paragraphs contain a summary of the information examined by the Special Committee divided as follows:

(a) General situation;

(b) Administration of justice, including the right to a fair trial;

(c) Treatment of civilians;

(d) Treatment of detainees;

(e) Annexation and settlement;

(f) Information concerning the occupied Syrian Arab Golan.

32. This information has been divided into oral evidence and written information. In order to comply with restrictions on the volume of documentation now enjoined upon United Nations reports, the Special Committee has endeavoured to present the information in the most compact and concise form possible. Oral evidence, for which a full record of testimonies is available in documents A/AC.145/RT.667 and Add.1, A/AC.145/RT.668-670, A/AC.145/RT.671 and Add.1, A/AC.145/RT.672-675 and A/AC.145/RT.677 has been condensed to a general indication of the contents of such records. The report also attempts to summarize written information. That information is reflected in more detail in

documents of the Special Committee, which are available on file in the Secretariat.

A. General situation

1. General developments and policy statements

Oral evidence

33. The Special Committee asked a witness from Hebron what they felt about Palestinian autonomy:

> "Of course, we are happy and we rejoice because we can have our own State, we can be independent and responsible for our own State, for us to be able to move around freely. What is better for a person than to live in his own independent State? Of course, this is a very fledgling State, it has only come into being. But it is going to grow and to develop. I think that it is a good thing that there has been the Peace Accord between Israel and the PLO.
>
> "We live in Hebron. We are not in the area in which there has been an implementation of the Palestinian autonomy. But we still felt the same joy and the same happiness." (Anonymous witness No. 1, A/AC.145/RT.667)

34. Another witness provided the following view concerning the peace process:

> "There would only be a future when all of the occupation vanishes." (Anonymous witness No. 6, A/AC.145/RT.667)

35. The Special Committee received the following information regarding the most acutely felt violations in the occupied territories and on the general situation there:

> "Certainly and principally the economic closure, then the fact that patients cannot receive the necessary care.
>
> "Since I am close to the population as a researcher, it is my view that if there had been an economic opening and a withdrawal according to the agreed timetable, as well as less harassment on the part of the settlers, the peace process could have had more impetus. A large part of the people turn themselves to the religious movements, which possess capital. The Authority does not possess anything. The social institutions do not possess anything. The Social Affairs Department (with Mrs. Intissar El-Wazir, the widow of Abu Jihad) is the place where every day 300 to 400 people are waiting outside the door to seek assistance. But there is no assistance to give.
>
> "What is important here is that the peace process should continue and that there should be possibilities of work, possibilities of employment. Then, the religious movements would not have any pretext for activity.

"You cannot really build an electronic wall. Is it going to solve your problem? No, it is not going to solve your problem. Nasser Abdulaziz Mutawa tried to penetrate in order to find work from Shujaiya. He was seeking a livelihood, he was seeking a job. He was shot at and he was killed. There must be peace and not only separation between populations. Peace is going to resolve the problems. It is not going to engender problems. Even the Minister of the Police Authority said that separation is not going to solve the problem. What would resolve the problem is understanding. Yussef Karim was against this plan and in the end, we must go back to discussing the peace process. There is no other option for two peoples who are even sharing the sewage system. They have no choice, no option, but peace." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

36. Mr. Fouad Issa Abu Hamid, a field researcher at B'tselem, the Israeli Information Center for Human Rights in the Occupied Territories, provided the Special Committee with the following information concerning the general situation of violence in the occupied territories:

"There has been a reduction in the degree of violence in the occupied territories. Today, we do not see those phenomena we used to see at the outset of the intifadah, like protests, high participation in such protests, high rate of persons killed. From this point of view, the security situation in the occupied territories has improved and has become calm, in certain respects at least.

"However, there has been an increase in the quality of violence. There has been a reduction in the number of persons killed, but the killings have become graver in the way they happen. In comparison with the period at the beginning of the intifadah, there are now forms of killings that did not exist then at the outset of the intifadah. For example, I would mention the 'ensuring death' method, that is to say ascertaining the death of the victim. I would also mention the liquidation of the people wanted by the Israeli authorities, by way of ambush and killing without trial or legal proceedings. I could give you precise examples.

"In comparison with the period of the intifadah, other statistics beside the number of persons killed are on the decrease, like the demolition of houses and the number of cases of administrative detention." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

37. A staff member of the Land and Water Establishment for Studies and Legal Services spoke to the Special Committee about the situation concerning land confiscation since the signing of the Oslo Agreement:

"After the Declaration of Principles between the Palestinians and the Israelis at Oslo, the Palestinians rejoiced and were optimistic in the wake of the adoption of the Declaration of Principles, especially landowners, landowners whose land had been confiscated and other Palestinians who considered that there was a threat of confiscation on their lands on the part of the Israeli authorities.

"Unfortunately, the Israeli authorities have continued to violate Palestinian human rights, through the expansion of confiscation operations in general and the expansion of the settlements, as well as through the building of new roads at the expense of land belonging to Palestinians, and through the uprooting of fruit-yielding trees, thus preventing the Palestinians from utilizing the crops or utilizing the trees.

"Furthermore, the Israeli authorities have completely disregarded all the agreements that have been concluded with the Palestinian side and which, again explicitly, provide for putting an end to all new confiscations during the transition period. The agreement has been concluded between both sides to discuss the question of the settlements, the question of the city of Jerusalem and the status of Jerusalem.

"In general, we could say that during the months of December 1994 and January 1995, about 25,000 dunums of land (6,250 acres) in the West Bank have been confiscated, tens of thousands of trees uprooted or cut off and a number of houses destroyed. Also, a number of roads have been constructed on land belonging to Palestinians.

"After the Oslo Accord, the Israeli authorities started to have recourse to a new kind of confiscation, the structural rearrangement, in order to expand settlements. That is what is currently under way at this very stage." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

38. Mrs. Aminah Aoudeh, an official of the Al-Haq human rights organization, expressed the following view about the situation in the occupied territories, in particular with regard to Jerusalem:

"I started with Jerusalem, because Jerusalem now is a hot bed of tension. Currently, all eyes are focused on Jerusalem. If Israel continues escalating the practices against the City of Jerusalem, this could take us to the brink of a catastrophe for all of us, people of the City and of the region, but also inhabitants of the world. This catastrophe could destroy the peace process and even lead to a number of other countries engaging in a complex that we could all do without. The danger is there. The danger is very much there." (Mrs. Aminah Aoudeh, witness No. 19, A/AC.145/RT.674)

39. The Director of the Mandela Institute for Political Prisoners stated the following regarding the effect of human rights violations committed after the signing of the peace agreements:

"Regarding the effect of the Israeli violations of the Palestinian human rights after the signing of the agreements on the peace process, we note that there is an increased feeling of frustration among the Palestinian people, who had hoped that the agreements and the peace process would improve the conditions of their life in the occupied territories. We find that the violations, not only for prisoners but at all levels of the society, lead to a feeling among the Palestinian people that this peace operation will not achieve security and stability and will not protect their rights. All this is due to the feeling that the Israelis are not

really committed, whether it is the Israeli leadership, or the Israeli forces, or the Israeli settlers, in their dealings with the Palestinian citizens." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

40. Mr. Imad Ali Al-Sharqawi, a lawyer from the Palestine Centre for Human Rights in Amman, gave the Special Committee his views on the peace process:

"As to the future of the peace process, in the light of what I just mentioned, I personally believe that the peace process will not continue and will ultimately fail, unless the United Nations takes on the burden and the responsibility of implementing the agreements, doing the following: replacing the Israeli forces on the terrain with United Nations forces in all Palestinian areas, giving assistance for economic development of the region, giving the Palestinian Authority now in power the necessary funds in order to put a halt to the economic deterioration now taking place and using force against Israel in order to compel it to apply the Security Council's resolutions concerning the Palestinian question. This is the solution. No other solution can lead to peace in the region. Israel is adamant on escalating violence in the areas under its control, as well as in the territories under Palestinian Authority through its policy of closure. I believe that if this situation persists in this form, it will lead to the ultimate failure of the peace process. This will not only have a destructive impact on the Palestinian areas and Israel, but it will extend to the whole of the Middle East. I mean violence will extend to all parts, it will become an uncontrolled operation either by Arabs, Palestinians, Muslims or Christians, if violence and aggression against religious sites goes on in the occupied territories."
(Mr. Imad Ali Al-Sharqawi, witness No. 16, A/AC.145/RT.672)

41. A person from Ramallah who testified before the Special Committee made the following statement with regard to the peace process:

"People no longer trust the peace process and consider that this process is meant to fail. This is what people think now. It puts the people in a difficult situation. There is a lot of tension. Everybody is waiting for a peaceful time when they can work and live a normal life. But the practices of the Israeli authorities make it difficult. It is difficult for a Palestinian to carry out any investment, although this peace process should be strengthened through an opening in the economy and economic activities of the people in the Palestinian territories. But Israel obstructs and impedes these activities and is deliberately pushing the people out of the Palestinian territories. They are making life difficult so that people will leave. I have seen people here in Jordan and I can say that they are unable to continue to live in the way they have to live now in the territories. Many people are trying to leave Palestine, in order that they may live a normal life somewhere else."
(Mr. Riad Radwan Ali Shehada, witness No. 18, A/AC.145/RT.673)

42. This is how a witness from the West Bank who testified before the Special Committee saw the origin of the problem in the occupied territories and the future of the peace process:

"The problem lies in this presence of a foreign body on Palestinian territory. If you go back to the origin of the problem, you will find that the Palestinian territory is a confiscated land, confiscated by the Israeli authorities. In addition, Israel spares no effort to create dissension and instability, even in the areas that have been handed over to the Palestinian Authority. Israel is the origin of the problem. I truthfully say that, if the two Powers that supervise the peace process could restrain Israel from its heavy-handed dealing with the territories, that would make it possible for all the countries in the region to live in peace and live a normal life like everybody else in the world. However, in my view, Israel keeps trying, and will not at any time stop trying, to create dissension within the Palestinian society in order to maintain the region in a state of instability, so that the peace process will be threatened and fail in the end. I say this on the basis of experience. It is Israel which does not want the peace process to develop and take its normal road, because it wants to go on dominating the Palestinian territory. The peace process is threatened now by the Israelis. As I assess the situation, they do not really wish the peace process to succeed.

"In my view, Israel wishes the peace process to fail. It does not wish to implement the peace process really. This is what I think. The attempts made by the Israelis to break the bones of the Palestinians during the intifadah were aimed at getting out as many Palestinians as possible in order to judaize the Palestinian territories. The world was a witness to the intifadah, to the Israeli brutality against the Palestinian people. Israel was not able to empty the Palestinian territory by force. Now, I see that there is a greater hatred against the Palestinians and killings take place. I believe that if Israel had really wanted to implement peace, events would have been totally different. As I say, my opinion is that Israel is not trying to implement peace, it is trying to make the peace process fail. This is the only explanation that I can give in answer to your question." (Mr. Riad Radwan Ali Shehada, witness No. 18, A/AC.145/RT.673)

43. A lawyer from Nablus expressed his views about the peace process in the following manner:

"I do not think that the Israelis are serious about the peace process. They reach agreement on principles, on major matters and then they break up those main matters into details, the details into further details. All this is not serious. In other words, they are sort of diluting the process." (Mr. Abel Fattah Mohammad Fayyad, witness No. 15, A/AC.145/RT.671/Add.1)

44. An elderly person from Hebron who testified before the Special Committee stated the following concerning the prospects for the peace process:

"There never will be peace between the Palestinians and the Israelis, no matter what happens. What is in the heart is in the heart.

"I have no hopes for peace with them. I have lived amongst them. I know them. I don't think there will ever be peace. This is a very far-fetched thing." (Mr. Mortada Moussalam Abu-Aiche, witness No. 13, A/AC.145/RT.671)

45. Mr. Awad Issa Awad Mansour, researcher at the Palestine Human Rights Information Centre, described the present situation in the occupied territories to the Special Committee in the following terms:

"To the people here, the peace process is an abstraction. What the reality is, is that the sequence of their lives, the events in their lives, bring about one conclusion about what their existence means vis-à-vis Jewish existence, which is not one alongside the other as equals, but one or the other. The "or the other" are the Palestinians. To the residents of Hebron, this is systematically brought out in each encounter, be it at the posts, at the roadblocks, on a personal level, in the existence of the settlements and what services they are able to have - in terms of access to water, water supply, their cars being allowed to move to their doorsteps, whereas people here have to walk maybe hundreds of metres and relatives who have cars cannot enter unless they have permits.

"I cannot say how it will burst and when it will burst. What I can only try to show is that the collective experience of military occupation, without the resuscitation period from the intifadah, and moving into another concentrated systematic and thorough period of military occupation during the peace process in order to subdue the Palestinians, drives one to the conclusion that it is either them or us. And this is not because we haven't been as objective, but because this is what the whole military occupation every day in a particular aspect of life means. One is thus put into a situation where there is no existence of two people allowed in reality. What is negotiated is supposed to be something which allows for that. People will be driven to the point of desperation in which what they begin to compare is whether the life they are living is worth it or not - which is a very dangerous brink." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

46. One witness who testified before the Special Committee provided the following opinion about the situation of Palestinians and the attitude of the international community:

"I simply want to say that the international community has not discharged its duties towards the Palestinian people in a reasonable manner, because there is a certain measure of injustice and inequity in its addressing the various questions. The question of Palestine and the Palestinian people is treated with less attention and with different criteria than other cases and other issues. Despite the fact that Israel has breached all international instruments and covenants, yet there is some form of international support for it, especially from the European States and from the United States, whereas, for instance, the question of Kuwait was addressed in a completely different manner and international covenants, their terms and provisions were applied in a totally different way. Up to now, we do not sense that there is any form of pressure being brought to

bear on Israel in order that it becomes more serious in its attitude towards the peace process." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

47. Accounts of the general situation prevailing in the occupied territories may be found in documents A/AC.145/RT.667 (anonymous witnesses), A/AC.145/RT.667/Add.1 (Dr. Omar Hassan Shehada), A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour), A/AC.145/RT.671 (Mr. Mortada Moussalam Abu-Aiche), A/AC.145/RT.671/Add.1 (Mr. Abel Fattah Mohammad Fayyad), A/AC.145/RT.672 (Mr. Imad Ali Al-Sharqawi), A/AC.145/RT.673 (Mr. Riad Radwan Ali Shehada), A/AC.145/RT.674 (Mrs. Aminah Aoudeh and Mr. Ahmad Mohammad Sayyad).

Written information

48. On 1 April, 200 Israelis and Palestinians staged a joint demonstration near the two principal roadblocks separating Jerusalem from the West Bank. They protested against both the continued closure of the territories and the plans to separate Israel from the territories. The demonstrators, consisting of members of human rights organizations and organizations fighting settlements on the Palestinian side, and members of Gush Shalom (Peace Bloc) on the Israeli side, carried banners saying, among other things, "Separation equals apartheid" and "Free Jerusalem from the siege". Five Palestinians were arrested but were released on bail soon thereafter. (Ha'aretz, 2 April)

49. On 3 April, Prime Minister Yitzhak Rabin stated that he was in favour of the creation of industrial parks in the territories because he wanted fewer Palestinians to work in Israel. Mr. Rabin affirmed that Israel could do without any Palestinians in the space of a month or two if it slightly increased the number of its foreign workers. He indicated, however, that such a step was not being taken at present out of consideration for the Palestinian economy. (Ha'aretz, 4 April)

50. On 5 April, army sources confirmed that the Israel Defence Forces (IDF) were establishing a unit specially designed to man checkpoints separating the autonomous Gaza Strip from Israel. It was reported that the unit would be trained and equipped to conduct thorough vehicle checks and detect forged documents and explosives. (Jerusalem Post, 6 April)

51. On 5 April, it was reported that the Central Command was drawing up a contingency plan for the eventuality of a non-withdrawal of the IDF from Arab population centres in the West Bank owing to political and security constraints. The army was reported to be preparing itself for a possible rise in the level of violence in the West Bank should the next phase of the peace accord not be implemented. In that case, large numbers of troops would be dispatched into the area and the number of units operating there would be increased. (Ha'aretz, 5 April)

52. On 7 April, it was reported that sources in the Central Command had stated that there had recently been a significant increase in the number of explosive charges being detonated in the Gaza Strip, with the Palestinian Authority being

helpless in the face of the "terrorists" perpetrating the attacks. The sources also claimed that there had been a substantial increase in the use of explosive materials smuggled from Egypt into Gaza and added that the "terrorists" possessed the technological means needed to fabricate bombs. (Ha'aretz, 7 April)

53. On 8 April, the Prime Minister's spokesman stated that the Government would not uproot settlements during the interim period of the agreement with the Palestinians. The statement was issued in response to Environment Minister Yossi Sarid's call to evacuate the Netzarim settlement in Gaza because of its being "a bone in the throat". (Jerusalem Post, 9 April)

54. On 11 April, it was reported that Israel was demanding that the Palestinian Authority act more systematically against extremist Islamic "terrorist" organizations in the Gaza Strip and that it uncover and destroy training and hiding places used by the Hamas and the Islamic Jihad movements. A senior Israeli official stated that "Hamas men must feel that they are being persecuted". Israel also demanded that the Palestinian Authority bring to trial Palestinians suspected of carrying out attacks and inciting to "terrorism", and that it start gradually to seize weapons held illegally by the residents of Gaza. Prime Minister Yitzhak Rabin indicated that negotiations with the Palestinians would continue, but stated that the implementation of the interim agreement would be conditioned by the measures that Yasser Arafat would actually take against "terrorist" activities. (Ha'aretz, 11 April)

55. On 12 April, it was reported that six Labour Members of the Knesset (MK) called upon Prime Minister Yitzhak Rabin to order the IDF to return to Gaza because of what they defined as the "intolerable" security situation there. In addition, Israel Radio reported that Housing Minister Binyamin Ben-Eliezer had stated that the negotiations with the Palestinians should be halted if murderous attacks continued. (Jerusalem Post, 12 April)

56. On 12 April, the special ministerial committee charged with monitoring the General Security Service (GSS) decided to extend for an additional three months the permission given to GSS interrogators to exert "increased physical and psychological pressure" during interrogations of Islamic Jihad and Hamas men who were suspected of planning and perpetrating "terrorist" attacks. It was decided that interrogations involving "increased physical and psychological pressure" would be conducted only when GSS interrogators were in possession of well-founded information on imminent "terrorist" attacks. It was also decided that every interrogation of that type would have to be approved by the head of the GSS and the Chief of the GSS Interrogations Branch. This was the third time that the special ministerial committee had decided to extend the powers given to GSS interrogators. Previously, such an authorization was granted in the wake of the Tel Aviv bus bomb attack and the attack in Beit Lid. A senior government source underlined that the ministerial committee's current decision was prompted largely by the "terrorist" attacks that took place in Kfar Darom and Netzarim on 9 April. (Ha'aretz, 13 April)

57. In the afternoon of 13 April, the IDF imposed a total closure on the territories "for security reasons". It was reported that the closure would remain in effect until 23 April and that any Palestinian caught in Israel during

the closure would be arrested and prosecuted. (Ha'aretz, Jerusalem Post, 13 April; Ha'aretz, 16 April)

58. On 15 April, the leader of the Palestinian Islamic Jihad movement, Fathi Shakaki, stated in an interview with the Lebanese newspaper Al-Hayat that thousands of people were on the waiting list to become suicide bombers. Mr. Shakaki stated that the "candidates" were extremely numerous and that not all of them could be included in the list. (Ha'aretz, 16 April)

59. On 16 April, Prime Minister Yitzhak Rabin stated that if the Palestinians would settle for a Palestinian State only in Gaza and let go of Judea and Samaria, there would be something to discuss. In a televised interview, Mr. Rabin also indicated that the Palestinian Authority was not doing enough to ensure security, although it had the means to do so. (Ha'aretz, 17 April)

60. On 16 April, Ha'aretz published the results of a public opinion poll conducted by the Palestinian Centre for Public Opinion among 548 adults in the Gaza Strip. Listed below are some of its findings. Only 27 per cent of those questioned were in favour of continued attacks against Israeli targets from within the autonomous areas, as opposed to more than 62 per cent who were against such attacks. Fifty-seven per cent stated that continued attacks against Israel were not helping Palestinians, while 32 per cent believed that they were. Seventy-nine per cent held Israel accountable for the deterioration in the security situation in the Gaza Strip. Sixty-eight per cent believed that the increased number of attacks was due to the mounting pressure (especially resulting from closures) Israel was exerting on the residents of the Strip. Forty-seven per cent stated that Israel's policy of procrastinating on the implementation of the second stage of the peace accord was linked to "terror" attacks against Israeli targets, while 42 per cent stated that they did not believe there existed a link between the two. The vast majority of those questioned (76 per cent) pronounced themselves in favour of continuing negotiations with Israel while 20 per cent thought that talks should be discontinued. Eighty-seven per cent declared their opposition to the immediate establishment of a Palestinian State in the Gaza Strip, in exchange for a halt in the extension of Palestinian self-rule in the West Bank, as suggested by Israel. (Ha'aretz, 16 April)

61. On 17 April, OC Central Command Maj.-Gen. Ilan Biran disclosed that dozens of Hamas activists who tried to carry out attacks by using improvised explosive charges had been arrested in recent months. Those arrested were among the several hundred other Hamas activists who were rounded up by the IDF and the GSS in the West Bank in recent months. (Ha'aretz, 18 April)

62. On 20 April, the Islamic Waqf officials stated that because of continuing excavation works aimed at finding the remains of the Second Temple, the south-east corner of the Al-Aqsa Mosque was virtually hanging in the air and was in danger of imminent collapse. The Higher Islamic Council called on the international community to exert pressure on Israel to end the excavations under the mosque. (The Jerusalem Times, 28 April)

63. On 24 April, the IDF spokesman announced that 14 "terrorists" suspected of perpetrating 10 attacks against Israeli targets had been captured recently by

the GSS and the IDF in the greater Hebron area. Initial interrogation of the suspects suggested that they were planning further attacks. (Ha'aretz, Jerusalem Post, 25 April)

64. On 24 April, it was reported that the Attorney-General, Michael Ben-Yair, had submitted to Prime Minister Yitzhak Rabin a classified legal opinion asserting that the military authorities should enforce the law with regard to settlers who committed security-related offences against Palestinians. Mr. Ben-Yair insisted that settlers accused of such offences should be tried in military courts and not in civilian ones in Israel, as is currently the custom. He said that applying the law to settlers under the present conditions, whereby settlers are placed on trial for security-related offenses in civilian courts, had proven ineffective since trials were held only two or three years after the offences were committed. Mr. Ben-Yair formulated his legal opinion after it had transpired that the IDF had not enforced orders to restrict the movement of members of the outlawed Kach and Kahana Hai movements. In response to the accusations, senior army sources indicated that the army was not prepared to deal with enforcing the restricting orders, and stated that the police should carry out that task. Senior police officers indicated, however, that the police were not able to deal with the matter because of a severe manpower shortage. (Ha'aretz, 24 and 28 April)

65. On 25 April, Chief of General Staff Lt.-Gen. Amnon Shahak reportedly told the Knesset Foreign Affairs and Defence Committee that the continued closure of Gaza could lead to the downfall of the Palestinian Authority. Mr. Shahak also indicated that the closure was generating hatred among hundreds of financially strapped Gazans and warned that this would result in more attacks against Israeli targets. (Ha'aretz, Jerusalem Post, 26 April)

66. On 26 April, it was reported that Prime Minister Yitzhak Rabin announced at the weekly Cabinet meeting that the IDF had started to discuss plans to transfer three IDF bases (Training Bases 3 and 4 and the Field Engineering School, south of Hebron) in Judea and Samaria (West Bank) to locations within the Green Line. After the meeting, Mr. Rabin explained, however, that there was no intention to dismantle the bases or abandon them but only to stop using them as basic training camps. Mr. Rabin stated that recruits would be trained inside Israel and that the bases would be used by forces engaged in current security operations. (Ha'aretz, Jerusalem Post, 27 April)

67. On 27 April, Maj.-Gen. Ilan Biran stated in an interview with Ha'aretz that he would recommend that the IDF withdraw from West Bank cities only when all the conditions needed to guarantee security in the area had been met. This included security arrangements for settlements, the construction of bypass roads and the cessation of "terrorist" activities. (Ha'aretz, 28 April)

68. On 28 April, PLO Chairman Yasser Arafat called upon the United Nations Security Council to take urgent measures to reverse Israel's plans to expropriate Arab land in Jerusalem. On 29 April, the Palestinian Authority called for an urgent session of the Arab League at Cairo to discuss the issue. In a statement issued after its weekly Cabinet meeting in Gaza, the Palestinian Authority also appealed for assistance from the United States of America, the Russian Federation, Norway and the United Nations Security Council. Meanwhile,

a leaflet issued by Hamas demanded that the Palestinian Authority abandon the peace talks with Israel. (Ha'aretz, Jerusalem Post, 30 April)

69. On 4 May, the Israeli Housing Ministry announced that the confiscated land in Beit Hanina would be used for the building of 15,000 housing units for Palestinians. Sources at the Ministry noted, however, that it would not issue building permits to Palestinian residents for the same purpose, but would construct the housing units for them itself. The units will not house the actual owners of the land. (The Jerusalem Times, 5 May)

70. On 4 May, the Islamic Higher Council decided to close the Al-Aqsa Mosque to tourists until further notice. The move came after 20 members of the Jewish extremist group Hai Vekayam gained access to the holy compound and tried to conduct prayers. Four Al-Aqsa guards and one Waqf official were wounded in the attempt to drive the group out of the compound. (The Jerusalem Times, 10 May)

71. On 5 May, some 200 demonstrators, most of whom were Palestinians from Hebron, and a handful of Israeli right-wing activists staged a demonstration in front of the Hebron city hall to protest against the night curfew in the city. (Ha'aretz, 7 May)

72. On 8 May, Foreign Minister Shimon Peres announced a list of gestures aimed at making life easier for Palestinians in the Gaza Strip, and in Judea and Samaria (West Bank). Among the measures announced was the release of 250 Palestinian prisoners; the end of the curfew in Hebron; simplified procedures for cargo entering the self-rule areas of Gaza and Jericho; permission to operate a heliport in Gaza; and an increase from 27,000 to 31,000 in the number of Palestinians allowed to work in Israel. In addition, Mr. Peres reiterated Israel's pledge to reach an agreement on the next stage of Palestinian self-rule by 1 July and offered the Palestinians control over five more areas of local administration: labour, social insurance, gas and petroleum, as well as trade and industry. (The Jerusalem Post, 9 May)

73. On 8 May, a security source stated that more than 3,000 Hamas and Islamic Jihad activists had been arrested since the Tel Aviv bus bombing, at least 600 of whom had been placed under administrative detention. (Ha'aretz, 8 May)

74. On 8 May, Dr. Nabil Shaath, the head of the Palestinian delegation to the Higher Liaison Committee in Cairo, declared shortly before the opening of the talks in the Egyptian capital that, in his view, Israel had backed out of the Oslo Agreement. Dr. Shaath accused Israel of gradually reoccupying the Gaza Strip: he stated that Israel was regaining control over major thoroughfares in Gaza and that it had closed the passages leading to Egypt and Jordan. He also indicated that if the question of the settlements and land confiscation in Jerusalem were added to the problems cited above, the situation was liable to explode. (Ha'aretz, 8 May)

75. On 9 May, it was reported that a new Police Ministry plan envisaged attaching special markings to vehicles belonging to Arabs from East Jerusalem in order to make them easily identifiable by the Israeli security forces. The Jerusalem Times reported that in order to avoid accusations of discriminations, special markings might also be required for all vehicles belonging to

non-citizens of the Jewish State. Senior Police Ministry sources revealed that the plan, which still had to be finalized, was aimed at preventing the increasingly widespread use of such vehicles by "terrorists" who, according to the sources, found that such vehicles were an excellent cover for their operations because they could not be distinguished from Israeli vehicles. (The Jerusalem Post, 9 May; also referred to in The Jerusalem Times, 10 May)

76. On 10 May, the Alternative Information Centre, which is based in Jerusalem, reported that the number of Palestinian residents of Jerusalem who have applied for Israeli citizenship has increased sharply. The Centre revealed that the Israeli Ministry of the Interior received an average of 60 applications a month, which amounts to an increase of 50 per cent since March 1994. (The Jerusalem Times, 10 May)

77. On 10 May, Israel refused to reconsider the previous week's announced expropriation of 133 acres of land in East Jerusalem. (The Jerusalem Times, 10 May)

78. On 11 May, it was reported that the Executive Committee of the villagers of Kirad el Bakara and Kirad el Gnama, who were driven off their land in March 1951, had demanded that Prime Minister Yitzhak Rabin allow them to return to their homes. The residents of the two villages, who numbered some 1,000 people at the time, were evacuated following an exchange of fire between Israel and the Syrian Arab Republic owing to the drainage at the time of the Hahula river, near which the villages are located. The majority of the displaced persons were transferred to the western Galilee village of Sha'ab, while others were removed to the village of Tuba, which is located near Shefaram. According to Dr. Haladi Saliman, a member of the Committee, some villagers were also expelled to the Syrian Arab Republic. The Committee claimed that Israeli Government officials had promised the villagers that they would be allowed to return to their homes once calm had been restored to the area. They also pointed to a resolution adopted to that effect by the United Nations Security Council in May 1951. (Ha'aretz, 11 May)

79. On 11 May, it was reported that the Jerusalem Planning and Construction Committee was about to approve a plan to build hundreds of housing units for Arabs. The construction scheme, planned for the East Jerusalem neighbourhood of Arab A-Sawahara, concerned a 4,000-dunum (1,000 acres) area stretching between the Jewish neighbourhood of Arnon Hanatziv, East Talpiot, Jabal Mukhbar and the Judea Desert. (Ha'aretz, 11 May)

80. On 16 May, it was reported that Palestinian sources in the Jenin area had claimed that on the previous day the Israeli security forces had arrested nine Palestinians in the Jenin district who were affiliated with Hamas. The arrests were said to be part of a large-scale campaign of arrests of Hamas activists in northern Samaria (West Bank) following the Beit Lid attack. (Ha'aretz, 16 May)

81. On 21 May, Faisal Husseini, the Palestinian Authority's adviser on Jerusalem, cautioned in an interview with the Voice of Israel that if the Government did not reverse its decision to expropriate Arab-owned land in Jerusalem, the intifadah would resume, not only in Jerusalem but in all of the occupied territories and the entire Middle East. In an additional televised

interview, Mr. Husseini indicated that it had to be understood that the present Palestinian situation on the ground was similar to that prevailing on the eve of the intifadah. He warned that this might trigger off a process analogous to the one that had led to the intifadah, a process, which, once set in motion, would be difficult to halt. (Ha'aretz, 22 May)

82. On 21 May, it was reported that a significant decline in "terrorist" activity had been registered in the West Bank in recent weeks. The security forces were said to have rounded up dozens of Hamas activists involved in "terrorist" activities, thus bringing to 4,000 the number of Hamas and Islamic Jihad members arrested since the Tel Aviv bus bombing attack. (Ha'aretz, 21 May)

83. On 22 May, the Government reversed its decision to confiscate some 535 dunums (133 acres) of mainly Arab-owned land in East Jerusalem. The Government's decision came amid fears of being toppled by a no-confidence motion put forward by the Hadash and the Democratic Arab Party. (Ha'aretz, Jerusalem Post, 23 May; also referred to in Al-Tali'ah, 25 May, The Jerusalem Times, 26 May)

84. On 23 May, the Jerusalem District Planning Committee approved a housing project for Sur Bahir, near East Talpiot, which would add an additional 1,500 housing units to the village. An Interior Ministry spokeswoman stated that the purpose of the project was to relieve the housing shortage faced by the Arab residents of Jerusalem. (Jerusalem Post, 24 May)

85. On 28 May, the Government announced, during a special session it held on the occasion of Jerusalem Day, that it would work to strengthen the status of united Jerusalem as the capital of Israel only and that it would fight against any attempt to undermine that special status of the City. Meanwhile, Faisal Husseini, the Palestinian Authority's adviser on Jerusalem, stated that approximately 70 per cent of the land in both East and West Jerusalem belonged to Arabs. He indicated that Palestinians would also press claims for assets and land in the western part of the City. (Ha'aretz, 29 May)

86. On 1 June, it was reported that during the previous days the GSS and the IDF had rounded up 30 Hamas activists in the Bethlehem area on charges of carrying out a series of attacks and planning others, including the killing of senior IDF officers in the Bethlehem area. Some of the persons arrested were reported to have been wanted since 1989. (Ha'aretz, Jerusalem Post, 1 June)

87. On 1 June, the Negev District Police completed a large-scale night operation during which 232 Palestinians who were in Israel illegally were rounded up. The operation, which started on 31 May and was carried out in all the towns and settlements in the Negev, included the participation of 150 policemen, officers, Border Policemen and volunteer civil guards, as well as a police helicopter, which helped pursue Palestinians from the territories who tried to escape by fleeing towards Har Hebron. The police stated that those arrested for the first time without a stay permit would be sent back home while those arrested for a second time would be placed on trial at the end of their detention period. Four Israelis charged with providing accommodation for

Palestinians without permits to stay in Israel were also arrested. (Ha'aretz, 2 June)

88. On 3 June, the Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP) announced the creation of a united leadership that would henceforth represent the movements' common policy. At a press conference in Gaza, representatives of the two movements called for the Palestinian Authority to suspend talks with Israel immediately, which they claimed was proving by word and deed that its interest was to eradicate the Palestinian national identity. In a press release, the united leadership further attacked Israel for what it described as its policy of occupation under the cover of the Oslo Agreement. (Ha'aretz, 5 June)

89. On 5 June, Dr. A. Shafi, the head of the Red Crescent in Gaza and a senior Palestinian public figure, declared that the current state of affairs made the creation of a Palestinian State extremely distant. The interim agreement between the PLO and Israel, he stated, did not mean that the occupation had come to an end. During a seminar held at Tel Aviv University under the title "Peace, Peace and There is No Peace: 28 Years of Occupation", Dr. Shafi stated that, in his view, Palestinians in Gaza were undergoing a process of "cantonization" and cautioned that the process could soon spread to the West Bank. Dr. Shafi also warned that at the current critical moment, Israel's iron fist tactics could lead to renewed bloodshed. He went on to indicate that the majority of Palestinians would not accept a division of the Gaza Strip and the West Bank into separate cantons under Israeli sovereignty and added that the test for Israeli intentions was the removal of settlements - a measure that had yet to be implemented. Israel, he stated, was capitalizing on its position of strength in order to create facts on the ground and dictate to Palestinians conditions that would not be conducive to peace. (Ha'aretz, 6 June)

90. On 5 June, it was reported that during the previous days the GSS and the IDF had arrested 45 Hamas members suspected of belonging to Izz al-Din al-Qassam, the military wing of Hamas. The preliminary interrogation of the suspects, who had been arrested in East Jerusalem and in several villages south and east of the City, revealed that they had planned to plant a car bomb in Jerusalem, hijack an Israeli bus and carry out other attacks against Israeli soldiers and civilians. (Ha'aretz, Jerusalem Post, 5 June)

91. On 6 June, Israel accepted a Palestinian demand for the complete transfer of all remaining 30 spheres of civil authority. In return, the Palestinians agreed to renounce 1 July as the target date for reaching an agreement on the empowerment. (Jerusalem Post, 7 June)

92. On 6 June, a report published by Solidarity International revealed that four Palestinians had been killed since the beginning of the year by Israeli mines and other explosive devices that have exploded near residential areas. Several others have been seriously injured. The human rights organization noted that the increase in the number of such incidents was due to the negligence of the Israeli army and its disdain for the local population. (The Jerusalem Times, 9 June)

93. On 7 June, delegates from Israel, Egypt, Jordan and the Palestinian Authority met in Beersheba for their first working session on Palestinians displaced by the Six Day War. Israel estimated that some 200,000 people could fall into this category. The Palestinians, however, put the number at more than 800,000. (Jerusalem Post, 7 and 8 June)

94. On 11 June, Prime Minister Yitzhak Rabin was quoted as stating at the weekly Cabinet session that the IDF would retain its freedom of access to Palestinian towns and villages after its redeployment. Foreign Ministry officials, however, indicated that even if Israel were to retain freedom of movement throughout the territories, it would use it very sparingly. (Ha'aretz, Jerusalem Post, 12 June)

95. On 13 June, it was reported that senior Central Command sources had stated that there had been a substantial decrease in violence and attacks in the territories in recent weeks. (Ha'aretz, 13 June)

96. On 14 June, it was reported that during the previous two weeks, Palestinian sources claimed that the concentration of IDF troops in Nablus and Tulkarm had been higher than usual. (Jerusalem Post, 14 June)

97. On 18 June, it was reported that according to a Palestinian security source, granting permits for work in Israel was one of the tactics used by the GSS in order to recruit Palestinian collaborators. A Palestinian diplomatic source explained that one of the means the GSS employed in attempting to recruit collaborators was suddenly to invalidate permits to enter Israel and then offer workers new permits in return for their collaboration. The source indicated that 20 entry permits - especially magnetic cards - were being withdrawn daily. (Ha'aretz, 18 June)

98. On 18 June, Palestinian prisoners declared an indefinite hunger strike. The hunger strikers, supported by the Palestinian Authority, called for the unconditional release of all Palestinians detained in Israeli prisons. On 21 June, a national day of fasting that had been declared in the territories to express solidarity with the prisoners, was also observed by Palestinian Authority Chairman Yasser Arafat. On 22 June, it was reported that Police Minister Moshe Shahal had announced that the Government had no intention of acceding to the prisoners' demands. Mr. Shahal stated that no security prisoners with blood on their hands or other prisoners who opposed any kind of peaceful settlement would be released. He added that the Prison Service was prepared to deal with prisoners' hunger strikes. On 23 June, a general strike in support of prisoners was declared in the West Bank and the Gaza Strip. On 27 June, a commercial strike in solidarity with the prisoners on hunger strike was observed throughout Judea and Samaria (West Bank). On 28 June, Faisal Husseini and several other senior Palestinian public figures joined the hunger strike. By 29 June, some 3,000 Palestinian security prisoners were said to be on full or partial hunger strike. The same day, the National Committee of Striking Prisoners warned that unless a clear timetable for the release of all prisoners was established and implemented, prisoners would stop their daily intake of water after 1 July. (Ha'aretz, Jerusalem Post, 19 June; Ha'aretz, 21 June; Ha'aretz, Jerusalem Post, 22 June; Ha'aretz, 25 June; Jerusalem Post, 28 June; Ha'aretz, Jerusalem Post, 29 June; Jerusalem Post, 30 June)

99. On 23 June, it was reported that some 1,000 Palestinians without permits to work in Israel had been arrested in Israel since the beginning of the month. Twenty-five Palestinians who were charged with having committed the offence for the second time were sentenced to jail terms ranging from two months to one year, while hundreds of others were ordered to pay fines after short periods of detention and interrogation. (Ha'aretz, 23 June)

100. On 23 June, the Jerusalem Post published the findings of a public opinion poll conducted by the Jerusalem Media and Communications Centre among 1,397 Palestinians from the territories. The poll was carried out to mark the first year of Palestinian self-rule and found that 32 per cent of Palestinians supported continued Hamas and Islamic Jihad suicide operations against Israel under the current political conditions. It also revealed that 60 per cent of Palestinians would not accept a two-State solution if it meant relinquishing claims to land within Israel's pre-1967 borders. (Jerusalem Post, 23 June)

101. On 23 and 25 June, it was reported that the Hamas movement warned that the killing of an Islamic Jihad leader on 22 June marked the end of an unofficial truce with Israel and the beginning of what it called a "black phase". (Ha'aretz, Jerusalem Post, 23 June; Jerusalem Post, 25 June)

102. On 26 June, Jerusalem Mayor Ehud Olmert announced that he would close Orient House in the coming days because it served as the Palestinian National Authority's base in Jerusalem. In addition, Olmert decided to cancel the graduation ceremonies scheduled to be held in the Issawiya Secondary School located in the suburbs of East Jerusalem. The Jerusalem Mayor stated that the ceremony was a provocative act planned by Faisal Husseini, the head of the Jerusalem National Council, and was aimed at reinforcing the Palestinian Authority's status in the City. (The Jerusalem Times, 30 June)

103. On 28 June, it was reported that the IDF would set up independent and separate units to be entrusted with guaranteeing the security of the 144 settlements in the West Bank. A high-ranking military source indicated that soldiers would be mandated to carry out patrols inside and outside the settlements and escort settlers' vehicles, especially vehicles transporting children, to other settlements or to Jerusalem. According to the source, the scheme would require the reinforcement of IDF troops in the West Bank after their redeployment there as well as a larger number of weapons, more frequent patrols and a bigger defence budget. (Ha'aretz, 28 June)

104. On 28 June, some 105 right-wing activists, including public figures, academics, jurists and former IDF officers published a code of ethics laying down the guidelines for the struggle against the PLO and the Government of Israel. (Ha'aretz, 28 June)

105. On 28 June, a number of Palestinian leaders from various factions went on strike in solidarity with Palestinian prisoners who have been on an open-ended hunger strike since 18 June. The Israeli ministerial committee on the release of prisoners announced that an unspecified number of prisoners would be released in two stages, one when the agreement on redeployment was signed and the other after the elections. (The Jerusalem Times, 30 June)

106. On 29 June, the Jerusalem Municipality initiated legal proceedings aimed at closing Orient House in East Jerusalem. In a written notification expected to be delivered to Orient House by city officials in the course of the following days, the Municipality stated that the unauthorized use of the compound was aimed at undermining the sovereignty of both Israel and the Jerusalem Municipality over the City. (Ha'aretz, 26 and 30 June)

107. On 29 June, Officer Commanding (OC) Southern Command Maj.-Gen. Shaul Mofaz issued an order stipulating that Israeli truck drivers caught helping Palestinians to infiltrate into Israel would be banned from carrying out trade activities in the Gaza Strip and a file would be opened against them with the police. (Ha'aretz, 30 June)

108. On 30 June, it was reported that the United States Agency for International Development (USAID) would provide $5.2 million during the current fiscal year for five ongoing projects in the territories. (Jerusalem Post, 30 June)

109. On 2 July, the Chief Building Inspector of Jerusalem presented Orient House with an order granting the PLO headquarters two weeks to request a zoning change that would allow it to continue its activities or face legal action. The Inspector delivered a second order demanding that Orient House immediately halt construction on its premises, which was allegedly being carried out without a permit. The municipality's moves were said to be aimed at closing Orient House on the grounds that the PLO officials working there were threatening Israel's sovereignty over Jerusalem. On 12 July, the municipality served Orient House with a court order forbidding it to use a section of its northern wing on the grounds that it had been constructed illegally. (Jerusalem Post, 3 July; Ha'aretz, Jerusalem Post, 13 July)

110. On 4 July, Foreign Minister Shimon Peres and Palestinian Authority Chairman Yasser Arafat reached an understanding on the main aspects of an interim peace agreement. These included sporadic joint Israeli-Palestinian patrols; the redeployment of IDF troops; deployment of Palestinian civil police; and an amendment of the Palestinian National Charter. Messrs. Peres and Arafat also set a new target of 25 July for the conclusion of an interim accord on the extension of Palestinian self-rule in the West Bank, scheduled to be implemented over a period of two years and be completed in June 1997. Under the accord, Israel would withdraw completely from four major West Bank Arab towns - Jenin, Nablus, Tulkarm and Kalkiliya - before the end of the year and would pull out of Ramallah and Bethlehem once the construction of bypass roads around those towns was concluded. In addition, Israel would allow Palestinian civil police to be deployed in the 450 West Bank villages, although they would remain under "overall Israeli supervision". The Palestinian Authority, for its part, agreed to seek an amendment of the Palestinian National Charter, which calls for the destruction of Israel, within two months after the elections for a Palestinian Council had taken place. On 23 and 24 July, it was reported that the deadline of 25 July would not be met. Differences between the two sides remained on the issues of Israeli troop redeployment, the redistribution of water resources and the modalities for Palestinian elections. (Ha'aretz, Jerusalem Post, 5 July; Ha'aretz, 23 July; Jerusalem Post, 24 July)

111. On 6 July, it was reported that according to an Interior Ministry report the number of Arab residents in Jerusalem applying for Israeli citizenship had risen to unprecedented levels. According to the report, 687 Palestinian heads of family had requested Israeli citizenship between 1 January and 13 June, as compared with 430 who had done so during the whole of 1994. Ministry officials stated that virtually all of the applications had been accepted and indicated that an average of four family members obtained citizenship for each request filed by a family head. The officials stated that they believed the increase reflected uncertainty among the Arab residents of the City concerning their political future. (Jerusalem Post, 6 July)

112. On 6 July, it was reported that, according to the IDF, there had been a large increase in the number of disturbances in the West Bank in the course of the previous two weeks. The incidents reported included mainly the throwing of stones and incendiary bottles at IDF troops and settlers. Dozens of charge sheets were filed with the Nablus and Ramallah Military Courts against Palestinians suspected of taking part in the disturbances and some of those indicted had already been convicted and sentenced to jail. (Ha'aretz, 6 July)

113. On 6 July, Palestinian Authority Chairman Yasser Arafat announced at Geneva that he was in favour of the deployment of international observers in the autonomous areas as well as the posting of joint Israeli-Palestinian patrols there. (Ha'aretz, 7 July)

114. On 7 July, it was reported that Israel had rejected a Palestinian demand for the redistribution of water resources in the West Bank and the Gaza Strip. Some 2 billion cubic metres of water (or some 400 cubic metres per head, including water for use in agriculture) are consumed annually by 5 million Israeli citizens, as opposed to some 250 million cubic metres (or approximately 100 cubic metres a year per head) made available for Palestinians in the Gaza Strip and the West Bank. An Israeli consumes an annual average of 100 cubic metres of water designated for domestic use, as opposed to the some 40 cubic metres allocated annually to a Palestinian. (Ha'aretz, 7 July)

115. On 7 July, Palestinians detained in prisons in Israel suspended their hunger strike. The decision to interrupt the strike, which began on 18 June, came after Foreign Minister Shimon Peres made a commitment concerning the gradual release of prisoners. (Ha'aretz, Jerusalem Post, 9 July)

116. On 11 July, Foreign Minister Shimon Peres told the Knesset Foreign Affairs and Defence Committee that, unlike Gaza, he did not advocate the uprooting of any settlements in Judea and Samaria (West Bank) at the present time. As for the redeployment of IDF troops in the West Bank, Mr. Peres stated that while the Palestinian Police would be responsible for enforcing order in major Arab towns in the West Bank, the primary responsibility for security in 420 villages, including the right to enter them, would remain in the hands of the IDF. (Jerusalem Post, 12 July)

117. On 11 July, 15 former Palestinian collaborators told a parliamentarian lobby group set up to guarantee the safety of collaborators that they felt as if they were caught between the devil and the deep blue sea, since they lived in constant fear of being killed by members of "terrorist" organizations, while, on

the other hand, the Government did not lift a finger in order to protect them. They claimed that 940 collaborators had been killed by Palestinians so far. (Ha'aretz, 12 July)

118. On 14 July, it was reported that a senior Civil Administration official, who had been convicted of beating a Palestinian in the past, had been appointed to the post of military governor of Hebron. The officer, Colonel Baruch Nagar, replaced Colonel Shalom Goldstein. (Ha'aretz, 14 July)

119. On 16 July, Prime Minister Yitzhak Rabin firmly rejected a proposal by Attorney-General Michael Ben-Yair to try in military courts in the territories settlers who were charged with committing security-related offences or violating orders issued by the security authorities. Mr. Rabin expressed the concern that such a decision could spark unrest and fan emotions among the settlers who bitterly opposed the idea. (Ha'aretz, 17 July)

120. On 17 July, it was reported that the security authorities were investing dozens of millions of new Israeli shekels (NIS) in the rehabilitation of thousands of Palestinians who had collaborated with Israel. As part of the rehabilitation scheme, 750 collaborators and their families had been moved to various localities within the Green Line. Security sources estimated that an additional 300 families would be moved to Israel with the implementation of the second stage of the Oslo Agreement. The bureau for the rehabilitation of collaborators was said to be dealing with the rehabilitation of 1,500 families, amounting to some 6,000 people. (Ha'aretz, 17 July)

121. On 19 July, it was reported that, according to the human rights organization B'tselem, more than 23 Palestinians had been killed and dozens of others injured over the past seven and a half years because of what it described as the carelessness and negligence with which the IDF dealt with the problem of ammunition left in practice areas in the West Bank. According to a report by the group, its investigations revealed that the military authorities did not make sufficient effort to mark and fence off practice areas, or clear explosives from pastures and inhabited areas in the West Bank. (Ha'aretz, 19 July)

122. On 19 July, the Inter-Ministerial Committee for Construction in East Jerusalem agreed to an unprecedented government investment in Arab housing construction in the City. The Committee chairman, Finance Minister Avraham Shohat, cautioned, however, that without the cooperation of the City's Palestinian residents, the investment scheme would not yield any positive results. The Inter-Ministerial Committee for construction was set up earlier in the year by Prime Minister Yitzhak Rabin, in response in part to criticism that the Government was ignoring the critical housing and infrastructure problems of Arabs in East Jerusalem. (Jerusalem Post, 20 July)

123. On 26 July, the Knesset narrowly defeated a bill aiming to incorporate several settlements around Jerusalem into the City's municipal borders. (Jerusalem Post, 27 July)

124. On 1 August, IDF Deputy Chief of Staff Maj.-Gen. Matan Vilna'i told the Knesset Foreign Affairs and Defence Committee that as part of its redeployment in the territories, the army intended to build a 20-kilometre-long fence along

the Green Line, which would separate Israel from Tulkarm and Kalkiliya. In addition, Vilna'i stated that, with the exception of Hebron, all IDF personnel stationed in bases in Arab towns would be transferred to the four basic-training bases that are located in the territories as well as to military installations inside settlements. He also indicated that approximately the same number of soldiers who were currently stationed in the territories would remain there following the redeployment and added that Israel would retain total control of the airspace over the territories. (Ha'aretz, Jerusalem Post, 2 August)

125. On 2 August, the Israeli Governmental Committee for Security Affairs decided to allow investigators of the Shabak Commission to use methods other than those prescribed by the Landau Commission, for an additional week. According to Israeli Radio, the Committee also authorized the use of various methods of interrogation of detainees connected with the Hamas or Islamic Jihad movements. (Al-Tali'ah, 3 August)

126. On 3 August, it was reported that the Mayor of Jerusalem, Ehud Olmert, had asked the Government of Israel to modify the boundaries of Jerusalem to include the Maaleh Adumim settlement. Olmert also asked that Israeli jurisdiction be extended to include Rachel's Tomb, which is located in Bethlehem, 460 metres away from the City's boundaries. (Al-Tali'ah, 3 August)

127. On 7 August, it was reported that several Hamas activists had been rounded up in the Ramallah and Hebron areas during the previous weeks. In addition, the IDF is said to have tightened security and to have intensified vehicle checks at roadblocks inside the Gaza Strip and at the border crossings into Israel. (Ha'aretz, 7 August)

128. On 7 August, the Inter-Ministerial Committee on the GSS gave the GSS permission to use special interrogation methods on Islamic Jihad and Hamas activists for an additional week. The permission also included violent shaking of the kind that had led to the death of a Palestinian detainee in April. (Ha'aretz, Jerusalem Post, 7 August)

129. On 7 August, two Palestinian political movements, the National Movement for Change and the National Democratic Coalition, announced that they had decided to merge under the name of the National Movement for Change. The new movement supports the PLO as the sole legitimate representative of Palestinians and approves the Palestinian-Israeli peace process. (The Jerusalem Times, 11 August)

130. On 11 August, Foreign Minister Shimon Peres and the Chairman of the Palestinian Authority, Yasser Arafat, issued in Taba a joint statement concerning a timetable for the redeployment of IDF troops in the West Bank and the transfer of additional civil powers to the Palestinians. Under the new timetable, the army would redeploy its forces in area "A" (Palestinian towns) and area "B" (the rural hinterland) prior to Palestinian elections scheduled to take place before the end of 1995. In area "C" (the rest of the territory), the army would redeploy in three phases over a period of one and a half years following elections for the Palestinian Council. With regard to the transfer of powers, the Palestinian Police would assume responsibility for the enforcement of public order for Palestinians in area "B", while Israel would have overall

responsibility for security for the purpose of protecting Israelis and confronting the threat of "terrorism". In area "C", Israel would transfer to the Palestinians civil powers not relating to territory during the first phase of redeployment, while powers relating to territory, except those which would be discussed during the permanent status negotiations, would be transferred to Palestinian jurisdiction during the subsequent redeployment phases. (Ha'aretz, 9 and 13 August; Jerusalem Post, 13 August)

131. On 9 August, the leader of the opposition party, Binyamin Netanyahu, declared that when a Likud government came to power, Orient House in East Jerusalem would be closed immediately. (Ha'aretz, 10 August)

132. On 13 August, the Cabinet approved the peace package initialled in Taba between Foreign Minister Shimon Peres and PLO Chairman Yasser Arafat. One member of the Cabinet voted against the deal while two others abstained. Prime Minister Yitzhak Rabin stated during the Cabinet meeting that the second phase of the Oslo Agreement constituted a mighty blow to the delusion of a Greater Israel. Responding to accusations that the Government did not have a clear vision as regards what it wanted from its negotiations with the Palestinians, Mr. Rabin indicated that the Government wanted Jerusalem, the Jordan River as Israel's security border and a number of unspecified areas. According to the peace deal, 73 per cent of the land in the territories, 97 per cent of security and 80 per cent of the water resources would remain under Israeli control. (Jerusalem Post, 14 August)

133. On 14 August, according to Israeli sources, the Israeli Police Minister, Moshe Shahal, pledged to close Orient House and the Palestinian National Authority's offices in Jerusalem. The Minister reportedly gave the Palestinians a two-week notice to close their offices. (The Jerusalem Times, 18 August)

134. On 15 August, Prime Minister Yitzhak Rabin told the Knesset Foreign Affairs and Defence Committee that if the IDF were to redeploy in the West Bank under the terms agreed upon in the Taba Statement, both the PLO and the elected Palestinian Self-Rule Council would have to amend the articles of the Palestinian National Charter that call for the destruction of Israel. (Jerusalem Post, 16 August; Ha'aretz, 18 August)

135. On 15 August, it was reported that the Government had decided to open legal proceedings against the activities of Orient House and other Palestinian institutions in East Jerusalem. During a meeting of the Ministerial Committee on Jerusalem Affairs held on 14 August and a meeting of the Forum for the Security of Jerusalem held on 13 August, it was decided to call in for questioning representatives of the recently established municipality of East Jerusalem and to send notices to seven Palestinian institutions in East Jerusalem warning them that legal action would be taken against them unless they stopped carrying out governmental activities linked to the Palestinian Authority. (Ha'aretz, 15 August)

136. On 15 August, according to Palestinian Police officers, the first contingent of Palestinian policemen from abroad to be deployed in the territories arrived in the Gaza Strip. The officers stated that 143 Palestinian Liberation Army soldiers who were now retrained as policemen had arrived from

Algeria through the Rafiah border crossing. Some 2,000 Palestinians were said to be expected to come from abroad to join a force of 12,000 in order to police the territories once a self-rule agreement was finalized. Palestinian Police Chief, Maj.-Gen. Nasser Yusuf, indicated that some 18,000 policemen were already deployed in Gaza and Jericho, which is double of what the PLO and Israel had agreed to in the 1994 Cairo Agreement. (Jerusalem Post, 16 August)

137. On 16 August, it was reported that the Inter-Ministerial Committee on the GSS had decided to extend by an additional two months the permission given to the GSS to use special interrogation methods on Islamic Jihad and Hamas activists suspected of being involved in "terrorist" activities. The permission also included violent shaking of the type that had led to the death of a Palestinian detainee in April. Nevertheless, the use of such methods would have to be approved by the head of the GSS in every case. (Ha'aretz, 16 August; Jerusalem Post, 17 August)

2. Incidents resulting from the occupation

Oral evidence

138. Mr. Fouad Issa Abu Hamid, a field researcher at B'tselem, drew the attention of the Special Committee to two disquieting recent phenomena with regard to the killing of Palestinians:

> "Two phenomena have surfaced during the past year in relation with the question of killings in general by the Israeli Forces. The first element is what we would refer to as 'ensuring death', making sure that the victim is really dead. The Israeli soldiers fire one bullet or more aiming at the head of the person already injured or dead through other bullets, this in order to make sure that the person is really dead.
>
> "The second phenomenon in connection with killings in general is the liquidation of those wanted by the Security Forces. There are a number of armed cells in the West Bank that are still operating and the members of which are considered wanted by the Israeli authorities. Also, a number of other people are considered wanted by the Israeli authorities as well, not necessarily because they are armed or dangerous to Israeli society. Special forces belonging to the Israeli army set up ambushes to trap those people, who are suddenly shot at and all killed, no distinction being made as to whether there are with them innocent people who have no relation to them in the security sense. This happens also without the lives of the soldiers being put to danger. Therefore, they simply liquidate those people.
>
> "Such operations were repeated during the past year and the Israeli authorities have issued a statement to the effect that they intend to liquidate people whom they have on their lists. Last year, four people were killed in Hebron in a similar manner.
>
> "What we can see from the incident that took place in Beit Lequia is that this is a sort of liquidation without any trial. The operation is

carried out so as to keep the Israeli soldiers in a safe position. They are not threatened in any way.

"In all these operations, the Israeli authorities could have arrested the people concerned and presented them to court to try them." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

139. The B'tselem field researcher provided the Special Committee with the following figures regarding the number of persons who were killed in the occupied territories since the beginning of the intifadah and in particular since the signing of the Oslo and Cairo Agreements:

"Now, I would like to address the question of killings. In the occupied Arab territories there has been a decrease in the number of persons killed. Those killed now are much fewer than those killed at the beginning of the intifadah. Let me give you some figures. The statistics are correct until the end of April 1995.

"So, since the beginning of the intifadah until the end of April 1995, the Security Forces killed 1,227 Palestinians. They killed 156 since the Oslo Accord and 49 since the Cairo Accord. I can provide you with the tables and give you some details.

"The number of Palestinians under the age of 16 years killed since the beginning of the intifadah amounts to 259 juveniles, 21 since the Oslo Agreement and 5 since the Cairo Agreement. The number of children under the age of 12 killed since the beginning of the intifadah is 68, 3 since the Oslo Agreement and none after the Cairo Agreement. The number of Palestinians killed by the 'Arabized' (as they are called, referring to members of the Security Forces who are disguised or under cover and who move among the Palestinians pretending to be Arabs) amounts to 156 since the beginning of the intifadah, 25 since the Oslo Accord and 11 since the Cairo Accord. Since the beginning of the intifadah, 21 Palestinians have been killed by different security forces, two since the Oslo Accord and one since the Cairo Accord. Respectively for these periods, 100, 46 and 4 Palestinians have been killed by Israeli citizens or settlers. Again respectively, 27, 2 and 2 Palestinians have been killed by agents, that is to say collaborators with the Israeli authorities. Since the beginning of the intifadah, 74 Israeli citizens have been killed by Palestinians, 26 since the Oslo Agreement and 10 since the Cairo Accord. The number of members of the Security Forces killed by Palestinians amounts to 63 since the beginning of the intifadah, 21 since Oslo and 17 since the Cairo Accord.

"Of course, the information I have just given relates only to the occupied Arab territories. There are other statistics concerning the people killed inside Israel. They are as follows.

"For the three periods under consideration, the number of Palestinians killed by the Security Forces amounts to 28, 11 and 6 respectively. The number of Palestinians killed by Israeli citizens inside Israel amounts to 23, 2 and 1 respectively. Inside Israel since the beginning of the

intifadah, 102 Israelis were killed by Palestinians, 49 since the Oslo Agreement and 26 since the Cairo Accord. Forty-three, 26 and 22 members of the security forces respectively were killed by Palestinians. Four Palestinian policemen have been killed by the Israeli security forces and one member of the Israeli forces has been killed by the Palestinian Police force.

"As I said, the information above applies to the period ending at the end of April 1995." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

140. One witness told the Special Committee about the general situation in the Gaza Strip:

"Without doubt, the situation is cause of great concern, because of the many Israeli settlements there inside some vital areas of Gaza.

"Those are old settlements. Also the fact that the Israeli forces are always present on the highways or main roads and the fact that they are most of the time quite willing to intercept those roads or traffic thereon contributes to creating a sense of insecurity for many of the Palestinians living there." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

141. A witness told the Special Committee about what they saw as the principal problems of Palestinians in the occupied territories:

"The continuous security belt around the West Bank is a problem. It is this constant state of provocation. It is the security belt. It is the persecution of Palestinian youths all the time; even if they are not guilty of anything, they always run into trouble with the police one way or the other." (Anonymous witness No. 1, A/AC.145/RT.667)

142. Mr. Awad Issa Awad Mansour, researcher at the Palestine Human Rights Information Centre, spoke about the closures and the security situation:

"In the past two years, the closures definitely have not led to a decrease of the armed attacks against Israelis. Therefore, repressive measures by the Israelis, including detention once detention occurs, have become more ruthless than before, because they are much more systematic, more targeted to what they perceive as a threat, individuals who are a threat. That is why the loosening of measures relating to restrictions and torture comes in line with the closures' failure to subdue and prevent the Israelis from being killed by Palestinians."

143. Mr. Mansour's description of a killing in Hebron confirmed the disquieting new trend in "ensuring death" on the part of Israeli soldiers:

"On 16 April 1995, Jihad Kholmi, Tarik Hamdi Ali Natshe and Adel Sayed Hassan Al-Falah Al-Jaber were all shot by Israeli undercover units, in a residential area inside the city of Hebron. After they were shot, the Israeli undercover units continued to shoot them in the head and later on,

blasted their car." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

144. This is how a person from the West Bank described the security situation to the Special Committee:

"Also, I know that in one of the villages near ours Israeli soldiers disguised as Arabs used a Palestinian car and killed four young men on the street, in daylight, on the pretext that these young men were wanted by the Israeli security forces. Palestinian blood has become easy to shed, even though there is the Oslo Agreement. Nevertheless, the Israelis continue to pursue the Palestinians and track them one by one." (Mr. Riad Radwan Ali Shehada, witness No. 18, A/AC.145/RT.673)

145. Testimonies relating to the incidents linked with the popular uprising may be found in documents A/AC.145/RT.667 (anonymous witness), A/AC.145/RT.667/Add.1 (Dr. Omar Hassan Shehada), A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour), and A/AC.145/RT.673 (Mr. Riad Radwan Ali Shehada).

Written information

146. The following abbreviations of the names of newspapers are used in the tables:

AT: Al-Tali'ah
H: Ha'aretz
JP: Jerusalem Post
JT: The Jerusalem Times

(a) List of Palestinians killed by troops or Israeli civilians

Date	Name and age	Place of residence	Remarks and source
8 April 1995	Ma'azuz Dalal, 28	Kalkiliya	Palestinian detainee. Hospitalized after his health condition deteriorated for unclear reasons. Human rights organizations accused the prison authorities of medical negligence that resulted in his death. The prison authorities denied the allegations. (H, 10 April 1995)
16 April 1995	Jihad Gholmeh, 24 or 25	Hebron	Member of Izz al-Din al-Qassam, the armed wing of Hamas. Among the most wanted Hamas "terrorists" in the West Bank. Shot dead by a Border Police undercover "anti-terror" unit near Hebron. According to the security forces, was on his way to carry out an attack against the IDF. (H, JP, 17 and 18 April; also referred to in JT, 21 April)
16 April 1995	Tarik Natshe, 22	Hebron	Member of the armed wing of Hamas. Shot dead by a Border Police undercover "anti-terror" unit near Hebron. According to the security forces, was on his way to carry out an attack against the IDF. (H, JP, 17 and 18 April; also referred to in JT, 21 April)

Date	Name and age	Place of residence	Remarks and source
16 April 1995	Adel Falah Gholmeh, 23	Hebron	Member of Izz al-Din al-Qassam, the armed wing of Hamas. Among the most wanted Hamas "terrorists" in the West Bank. Shot dead by a Border Police undercover "anti-terror" unit near Hebron. According to the security forces, was on his way to carry out an attack against the IDF. (H, JP, 17 and 18 April; also referred to in JT, 21 April)
22 April 1995	Ossama Abu-Jaj (or Ahmad), 17 or 19	Kalandia refugee camp	Fatally wounded in the head by IDF gunfire during a stone-throwing incident on the main road near the Kalandia refugee camp. (H, JP, 23 April)
24 April 1995	Abdel-Samad Harizat, 30	Hebron	Hamas detainee. Died in hospital where he was brought in a state of clinical death shortly after being apprehended and interrogated by GSS and police interrogators. An autopsy of the body clearly indicated that he died as a result of concussion following violent shaking. (H, JP, 30 April, H, JP, 1 May)

Date	Name and age	Place of residence	Remarks and source
27 April 1995	Yussouf Mustafa Nasser, 50	Isawiya village	Shot in the back of the head by Israeli soldiers while driving near Har Adar. Israeli television reported that soldiers had stated that the Palestinian, who was transporting Arab workers, behaved suspiciously at an IDF check-point. (H, 28 and 30 April; JP, 28 April and 1 May; also referred to in AT, 4 May)
27 April 1995	Yussouf Jabar, 21	Tiba	Shot dead by IDF soldiers in the village of Kalansua, allegedly after running through a police roadblock near Beit Lid. (H, JP, 28 April; H, 30 April)
2 May 1995	Khaled Subukh, 42 or 40	Jenin	A leading Fatah member and a prominent figure in Jenin. Shot in the head and leg by two unidentified gunmen as he was entering his car. According to the family, he had no personal enemies. (JP, 3 May)
4 May 1995	(Name not reported)	Rafia	Killed by shots fired at his home in the village of Sira, near Ramallah. Police believed that he was murdered for moral offences that he had allegedly committed. (H, 5 May)

Date	Name and age	Place of residence	Remarks and source
2 June 1995	Hamed Yaghmour, 24	(Not reported)	A senior member of Izz al-Din al-Qassam, the armed wing of Hamas, in the Hebron area. Riddled with bullets fired by the Israeli security forces. According to the IDF, shot during a shoot-out with the security forces in Hebron after he had refused to surrender. Palestinian eyewitnesses claimed that he fired no shots. According to AT and JT, was buried alive when the IDF fired anti-tank missiles at the house in which he was hiding. (H, JP, 5 June; also referred to in JT, 16 June)
12 June 1995	Yehia Shahada, 21	Deir Ammar	Hit in the back of the head when IDF soldiers opened fire at the car in which he was a passenger after it had failed to stop at an army roadblock in the Maccabim area. (H, JP, 13 June; also referred to in JT, 16 June)
14 June 1995	Darwish Abu Hatla, 28	Deir Ammar	Fatah activist and wanted member of the Fatah Hawks. Killed by IDF gunfire as he was trying to cross illegally from Egypt into Gaza. (H, JP, 15 June; also referred to in JT, 16 June)

Date	Name and age	Place of residence	Remarks and source
14 June 1995	Hassan Abu Thurara, 31 or 32 Abdul Nasser Salah, 28	Jabalia refugee camp	Members of PLO Chairman Yasser Arafat's personal guard, the Force 17, reportedly shot when they tried to cross into the autonomous areas. According to the IDF, the two were shot after one of them opened fire at soldiers. Palestinian Police sources claimed that the men were unarmed. (H, JP, 15 June; also referred to in JT, 16 June)
22 June 1995	Mahmoud Hawaja, 33	Shati' refugee camp (Gaza Strip)	Leader of the Islamic Jihad in the Gaza Strip. Shot in the head and chest by three masked gunmen. The Islamic Jihad and Hamas movements blamed the Mossad, the Israeli secret service, for the killing. Israeli security forces firmly denied any involvement in the incident. (H, JP, 23 June; JP, 26 June)
25 June 1995	Shadi Anwar Saef, 23 (according to JP) Shadi Mouhamad Al Zaimi, 19 or 22 (according to H)	Burka	Student at the Al-Najah University. Killed after being shot in the head with live ammunition by the IDF during the repression of demonstrations in Nablus. (H, JP, 26 June; also referred to in JT, 30 June)
25 June 1995	Wael Kharraz (or Harraj), 21	Nablus	Student at the Al-Najah University. Died in Hadassah Hospital of wounds sustained after being shot in the head by the IDF during the repression of demonstrations in Nablus. (H, JP, 26 June; also referred to in JT, 30 June)

Date	Name and age	Place of residence	Remarks and source
26 June 1995	Mouhamad Imad Ramadan, 21	A-Tal, near Nablus	Shot in the head with live ammunition during the repression of demonstrations in Nablus. Died of his wounds in a hospital in East Jerusalem. (H, 27 June; also referred to in JT, 30 June)
29 June 1995	Taher Kafisha, 24	Hebron	Prominent member of Izz al-Din al-Qassam and leader of a Hamas cell in Hebron that had allegedly killed some 9 Israeli soldiers and settlers and 14 Palestinian collaborators. Wanted by the IDF. Shot dead in Ras Jura by a special Border Police "anti-terror" unit. (H, JP, 30 June; also referred to in JT, 30 June)
1 July 1995	Ibrahim Hader Deis, 15	A Palestinian citizen of Oman visiting his family in Hebron	According to the IDF, shot dead after he had stabbed and slightly wounded a soldier in Hebron. Palestinian eyewitnesses reported that the youth was only wounded by soldiers but was shot dead by a settler as he was lying injured on the ground. (JP, 2 July; also referred to in AT, 6 July; JT, 7 July)
10 August 1995	(Not reported)	(Not reported)	Killed by an IDF artillery shell in an IDF training area. (JP, 11 August; also referred to in AT, 17 August; JT, 18 August)
13 August 1995	Khair Abed el Hafeez Kasam, 23	Dura al-Kara (West Bank)	Killed when settlers from Beit El fired dozens of shots at fleeing Palestinian demonstrators who tore down an illegal makeshift camp in Har Atris (West Bank). (H, JP, 14 August)

(b) List of other Palestinians killed as a result of the occupation

Date	Name and age	Place of residence	Remarks and source
1 April 1995	Mahmoud el Jundi (or Jindi), 33	(Not reported)	Accused of complicity with Israel in the killing of six Fatah activists in March 1994. According to the human rights organization Al-Haq, was shot in the head by the Fatah Hawks at the Jabalia refugee camp. According to Jabalia sources, he was killed by angry camp residents. (H, 3 and 5 April; JP, 3 April)
2 April 1995	Bilal Daas, 5	Gaza City	Killed in a large explosion in a Gaza apartment block. According to Hamas, Israel and the Palestinian Authority were responsible for the explosion. Israel firmly denied any involvement in the blast, stating that it was a work accident that occurred while Hamas activists were preparing bombs for use against Israeli targets. (H, 3 and 5 April; JP, 3 April; also referred to in JT, 7 April)
2 April 1995	Atem (or Sayid) Daas, age not reported, or Hatem Hassan, 34	Gaza City	Hamas sympathizer. Killed in a large explosion in a Gaza apartment block (see above). (H, JP, 3 and 4 April; also referred to in JT, 7 April)
2 April 1995	Daas (first name and age not reported)	Gaza City	Wife of Atem Daas. Killed in a large explosion in a Gaza apartment block (see above). (H, JP, 3 and 4 April)

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Date	Name and age	Place of residence	Remarks and source
2 April 1995	Kamal Kaheil, 30	Gaza City	Leading activist in Izz al-Din al-Qassam. Believed to have killed an Israeli soldier and several Palestinians. Killed in a large explosion in a Gaza apartment block (see above). (H, JP, 3 and 4 April; also referred to in JT, 7 April)
2 April 1995	Nidal Dabarbesh, age not reported	Gaza City	Member of Izz al-Din al-Qassam. Killed in a large explosion in a Gaza apartment block (see above). (H, JP, 3 and 4 April)
2 April 1995	Riad Shamshawi, age not reported	Gaza City	Hamas activist. Killed in a large explosion in a Gaza apartment block (see above). (H, JP, 3 and 4 April)
2 April 1995	Kamal Abu Odwan, age not reported	Gaza City	Hamas activist. Killed in a large explosion in a Gaza apartment block (see above). (H, JP, 3 and 4 April)
2 April 1995	Sayid el Arabid	Gaza City	Wanted Hamas activist. Killed in a large explosion in a Gaza apartment block (see above). (H, JP, 3 and 4 April)
7 April 1995	Yussuf Isa Hamamda, 12	Yatta village	Killed by a bomb found near the village of Yatta, which was apparently left there by the IDF. (H, 9 April)

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Date	Name and age	Place of residence	Remarks and source
9 April 1995	Khaled Mohammed Khatib, 22	Nuseirat refugee camp	Suicide bomber; Islamic Jihad activist. Blew himself up when he detonated several dozens of kilogrammes of TNT and a number of old land-mines while passing with his van by an Egged company bus travelling south of Kfar Darom. (H, JP, 10 and 11 April; also referred to in JT, 14 April)
9 April 1995	Imad Abu Amuna, 22	Shati' refugee camp (Gaza Strip)	Suicide bomber; Hamas activist. Smashed his van head-on into a convoy of settlers' cars and two Border Police jeeps travelling near the Netzarim settlement in the Gaza Strip. (H, JP, 10 and 11 April; also referred to in JT, 14 April)
5 June 1995	Kaldoun Harb, 13	Dhahariya	Killed by a rocket left by the Israeli army, which exploded near his house (JT, 9 June)
25 June 1995	Muawya Ruka, 22	Khan Younis	A Hamas suicide bomber. Blew himself up in front of the Gush Katif district headquarters of the IDF. (H, JP, 26 June; H, 27 June)
23 July 1995	Amer Salah	Gaza	A policeman, shot and killed by unidentified assailants. (JT, 28 July)
24 July 1995	(Not reported)	(Not reported)	Suicide bomber. Blew himself up in a bus in Ramat Gan. (JP, 25 July)

(c) Other incidents

Written information

147. On 1 April, a Palestinian collaborator was shot dead (see list) in the Jabalia refugee camp, allegedly by the Fatah Hawks, in revenge for his involvement in the killing of six Fatah activists by an Israeli undercover unit on 28 March 1994. (Ha'aretz, 3 and 5 April; Jerusalem Post, 3 April)

148. On 2 April, a large explosion in a Gaza apartment block killed at least eight people (see list) and wounded 30 (according to Ha'aretz some 20 persons). Eyewitnesses reported that heads and body parts were dispersed by the explosion to a distance of up to 300 metres. Rescue teams carried amputated hands and legs in plastic bags from the three-floor building whose second floor had been destroyed by the explosion. Palestinian policemen searching the ruins of the apartment building (used as a bomb factory by the Izzal-Din al-Qassam units, according to The Jerusalem Times), located in the Sheikh Radwan neighbourhood of Gaza City, found 150 unexploded grenades, a large quantity of chemicals, several pistols, an UZI sub-machine-gun and three Kalashnikov assault rifles. Izzal-Din al-Qassam, the military wing of Hamas, issued a leaflet accusing the Palestinian Authority, the "Zionist enemy" (Israeli intelligence forces, according to The Jerusalem Times, and their collaborators of being fully responsible for the explosion. Prime Minister Yitzhak Rabin dismissed as "nonsense" allegations that Israel was implicated in the explosion. Mr. Rabin stated that he was convinced that the explosion was a "work accident", which occurred while Hamas activists were preparing bombs for use against Israeli targets. The Jerusalem Times reported that Kamal Kaheil, 30, who had been wanted by the Israeli security forces for three years, had been killed in the explosion (see list). In a separate incident, a powerful improvised demolition charge exploded in the vicinity of an IDF patrol moving along the road separating Israel from the autonomous area, about three kilometres north of the Nahal Oz crossing. Soldiers responded with fire; no damage or injuries were reported. Border Police explosives experts who arrived on the scene found and neutralized additional explosive charges. (Ha'aretz, Jerusalem Post, 3 and 4 April; also referred to in The Jerusalem Times, 7 April)

149. On 3 April, supporters of Izzal-Din al-Qassam marched in Gaza in a symbolic funeral procession to accuse Israel and the Palestinian Authority of "criminal collaboration" in causing the explosion in the Sheikh Radwan neighbourhood in Gaza City the day before. (Jerusalem Post, 4 April)

150. On 5 April, the Kfar Sava police apprehended a 15-year-old Palestinian youth from Kalkiliya who was in possession of an axe, a Koran and a map of Israel in Arabic. The youth admitted that he had intended to carry out a "terrorist" attack in the city centre. (Ha'aretz, Jerusalem Post, 6 April)

151. On 6 April, an IDF soldier was moderately wounded during a combined attack involving the detonation of an explosive device and shooting at an IDF patrol that was moving along the security fence south of the Nahal Oz check-point. Soldiers responded by opening fire in the direction of the autonomous area but the "terrorists" managed to escape. Army forces were dispatched to the area and launched searches along the fence for other explosive devices. It was further

reported that the IDF had stepped up its level of alert throughout the territories because of fear of suicide attacks by Hamas to avenge the explosion in the Gaza neighbourhood of Sheikh Radwan, which, according to Hamas was perpetrated by Israel. (Ha'aretz, 7 April)

152. On 7 April, a 12-year-old Palestinian boy from the village of Yatta near Hebron was killed (see list) and two other youths were wounded, one of them in the legs, which will probably have to be amputated, while the other sustained wounds on the whole body, as a result of the explosion of a bomb apparently being left in the area by the IDF. It was reported that the pastures south of Yatta had been used by the IDF as a practice area. Palestinian shepherds were occasionally injured while playing with explosive materials left by the army after its manoeuvres. (Ha'aretz, 9 April)

153. On 8 and 9 April, a general strike was observed in Kalkiliya in protest against the death of a Palestinian detainee on 8 April. Tension was running high in the town where IDF troops used tear-gas and rubber bullets to disperse riots that erupted there on 9 April). No injuries were reported. (Ha'aretz, 10 April)

154. On 9 April, two suicide bombers carried out two separate attacks in the Gaza Strip, killing themselves (see list) and 6 soldiers and wounding 47 people (61 according to Ha'aretz). On 10 April, an American citizen and another soldier died of their wounds, thereby bringing the death toll to eight. In the first attack, an Egged bus carrying soldiers and Gush Katif settlers was hit by an explosive-laden van near Kfar Darom. The explosion tore open one side of the bus and destroyed the van completely. In the second attack, a convoy was attacked by a booby-trapped car near Netzarim. Islamic Jihad claimed responsibility for the first attack, stating that it was carried out in retaliation for the Israeli involvement in the Sheikh Radwan explosion on 2 April, while Hamas claimed responsibility for the second one. (Ha'aretz, Jerusalem Post, 10 and 11 April; also referred to in The Jerusalem Times, 14 April)

155. On 12 April, an IDF soldier was lightly injured when shots were fired at an IDF patrol moving south-west of the village of Gaza in Gush Katif. (Ha'aretz, 13 April)

156. On 14 April, an armed Palestinian man was wounded by Dead Sea Works security guards after he infiltrated into Israel from Jordan and attempted to kidnap a packaging worker. During his interrogation, the Palestinian confessed that he had crossed the border in order to kill Israelis. (Jerusalem Post, 16 April)

157. On 16 April, a Border Police undercover unit shot dead (see list) three members of Hamas's armed wing, Izz al-Din al-Qassam, from an ambush in a grove outside Hebron, apparently as they were on their way to carry out an attack against the IDF in the Hebron area. Two of those killed were said to be among the most-wanted Hamas "terrorists" in the West Bank. Security forces launched searches in Hebron, which was placed under a full curfew, for other Izz al-Din al-Qassam activists. During the searches, soldiers and GSS agents cordoned off a mostly deserted apartment building in the town centre where

"dangerous" wanted men were thought to be hiding. Palestinian neighbours stated that the soldiers forced them out of their houses and made them break the gates of the building open. They were subsequently ordered to enter the building and check whether any one was there. According to eyewitnesses, a soldier hit with the butt of his gun a Palestinian who refused to enter the building. In a separate incident, an Israeli youth suffered a slight head wound when a Palestinian man hit him on the head with a hammer at the Gitit junction located in the Jordan Valley. (Ha'aretz, Jerusalem Post, 17 April, 18 April; also referred to in The Jerusalem Times, 21 April)

158. On 17 April, an IDF soldier was slightly wounded in the hand by stones thrown at IDF troops in Bethlehem. In the Ramallah area, demonstrations were held against Israel and the IDF. Nine people were detained, four of whom were taken for questioning. Several incidents in which stones were thrown at IDF vehicles were reported in the Hebron area. Also in that area, two explosive charges were found by the security forces and safely neutralized by an explosives expert. A Palestinian resident of the Gaza Strip was shot in the leg by a settler from Moshav Emunim after he had tried to steal a vehicle. Two other Palestinians who were with him managed to escape. (Ha'aretz, 18 April)

159. On 18 April, several stone-throwing incidents were reported in the Bethlehem area, in Ramallah and in Nablus. A Border Policeman was slightly wounded during an incident in Hebron. (Ha'aretz, 19 April)

160. On 18 and 19 April, five Palestinian residents were injured in Hebron when members of the "special units" opened fire at them for no obvious reason. Special units patrol the streets of Hebron day and night, in particular during curfew hours. (Al-Tali'ah, 20 April)

161. On 20 April, an Israeli was slightly wounded by stones thrown at his vehicle in Kfar A Ram, in the Ramallah area. Army sources reported that seven Palestinians and one Israeli soldier were injured when soldiers dispersed demonstrations in the village of Abu Dis, which is located in the Bethlehem area. Palestinian sources claimed that 10 Palestinians were injured during the incident. (Ha'aretz, 23 April)

162. On 21 and 22 April, riots erupted in Bethlehem, where Palestinian sources reported that two stone-throwing youths were injured while four others were arrested. On 21 April, three incendiary bottles were thrown at an Israeli vehicle travelling near the village of Paron in the Tulkarm area; no harm or injuries were reported. Five suspects who were in possession of field-glasses, a knife and a bullet, were detained. In the Ramallah area, three incendiary bottles were thrown at an Israeli truck travelling near Beit Horon; no injuries were reported. Four other incendiary bottles were found by soldiers during searches of the area. (Ha'aretz, 23 April)

163. On 22 April, a Border Policeman was slightly injured in Nablus while pursuing stone-throwers in the town centre. Several dozen Palestinians who were suspected of throwing stones were detained. A Palestinian from the village of Ras Karkar was shot and wounded when he failed to stop at a check-point near Ramallah. An IDF soldier was slightly injured in Halhoul by stones thrown at an IDF patrol. (Ha'aretz, Jerusalem Post, 23 April)

164. On 22 April, IDF soldiers shot dead a Palestinian youth (see list) and wounded five other Palestinians, one of them seriously, after they were pelted with stones on the main road near the Kalandia refugee camp. IDF troops were dispatched to the camp, where tension was high after the killing. (Ha'aretz, Jerusalem Post, 23 April)

165. On 23 April, an Arab stabbed a yeshiva (Jewish religious school) student outside the Damascus Gate in Jerusalem's Old City. Dozens of Arab bystanders were detained for questioning but were released shortly thereafter. In a separate incident in the Old City, a Palestinian youth caught a policeman off guard and stole his loaded pistol. An extensive manhunt was launched and four of the youth's relatives were detained for questioning while his home was searched. A number of incidents were reported in the territories: in Hebron, two Palestinians and an Israeli Border Policeman were injured during stone-throwing incidents. Stone-throwing incidents also took place in the Ramallah and Nablus areas. Palestinian sources reported that one Palestinian was injured in the Ramallah area. In the Ramallah area, IDF soldiers shot at two Palestinian vehicles after they had ignored an order to stop at an IDF check-point. The vehicles managed to escape. (Ha'aretz, Jerusalem Post, 24 April)

166. On 24 April, two Palestinians from Hebron were slightly wounded when the windows of their cars were shattered by IDF gunfire after they ignored an order to stop. (Ha'aretz, 25 April)

167. On 27 April, a soldier shot dead an Arab (see list) who ran through a police roadblock near Beit Lid. Another Palestinian was shot dead (see list) by soldiers at a roadblock near the settlement of Har Adar on the outskirts of Jerusalem. Al-Tali'ah reported on 4 May that, according to eyewitnesses, the IDF opened fire at the car from a distance of 200 metres without issuing any warning. According to Palestinian sources, an additional Palestinian was injured by IDF fire during the latest incident. (Ha'aretz, Jerusalem Post, 28 April; Ha'aretz, 30 April; Jerusalem Post, 1 May)

168. On 28 April, riots erupted in the village of Isawiya following the killing of a resident by Israeli soldiers the day before. (Ha'aretz, 30 April; Jerusalem Post, 1 May)

169. On 29 April, a fire-bomb was thrown at a police car in the Jenin area; no damage or injuries were reported. The assailant was caught by the police. (Jerusalem Post, 30 April)

170. On 2 May, a three-day commercial strike was proclaimed in Jenin to protest against the killing by two unidentified gunmen of a leading Fatah member there (see list). Fatah and the rejectionist groups declared the man a martyr and accused Israel of being behind the murder. Several incidents were reported throughout the West Bank. A Border Policeman was slightly injured by a stone thrown at him in Hebron. An incendiary bottle was thrown at Border Police troops near the Cave of the Patriarchs. The bottle exploded on the ground without causing any harm. Two other incendiary bottles were thrown at IDF vehicles near the village of Beit Jalla. Stone-throwing incidents also took place in the Ramallah area, in Nablus and in Bethlehem. Palestinian sources

reported that a general strike in protest against the Government's decision to confiscate Arab-owned land in East Jerusalem was broadly observed in Jerusalem, in Ramallah, Al-Bireh and several other localities. Two Palestinians from the village of Dura claimed that they had been shot at by IDF soldiers when they tried to cross the Green Line to work in Israel. One of the Palestinians was critically wounded in the chest while the other one was slightly wounded in the leg. The IDF denied any involvement in the incident. (Ha'aretz, 2 May; Ha'aretz, Jerusalem Post, 3 May; Ha'aretz, 5 May)

171. On 4 May, the body of a Palestinian man was found in the vicinity of the village of Beit Sira, near Ramallah (see list). Police sources estimated that the man was killed for having committed moral offences. Two Border Policemen, a policeman and a member of the Islamic Waqf were slightly injured when some 20 members of the Hay Vekayam right-wing group tried to force their way onto the Temple Mount. The policemen managed to stop most of them, but three members managed to push past them and began praying on the square near the gate to the Mount. Fifteen members of the group were arrested. Several shots were fired at a joint IDF and Border Police patrol in the Gush Katif area; no injuries were reported. Two incidents in which stones were thrown at IDF soldiers were reported in Ramallah. A fire-bomb was thrown at IDF troops in the Hebron area. Stones were thrown at military vehicles in the centre of Ramallah; no injuries were reported during the incidents. (Ha'aretz; Jerusalem Post, 5 May)

172. On 5 May, a Palestinian youth was moderately injured by IDF gunfire near Gush Katif after he had ignored an army order to stop. Two Palestinians were injured by rubber bullets during clashes in Ramallah. A Border Policeman was slightly injured in Hebron. (Ha'aretz, 7 May)

173. On 7 May, an IDF soldier and two Palestinians were slightly wounded in Bethlehem when a Palestinian youth tried to steal the gun of another soldier and it went off as they were struggling. Palestinian sources claimed, however, that the incident occurred when Israeli undercover soldiers shot at stone-throwers, wounding four residents of the town. Also in the Bethlehem area, a Border Policeman was slightly injured during one of several incidents in which stones were thrown at IDF vehicles. A Palestinian was injured by IDF gunfire in Ramallah. Demonstrations took place in the Nablus area and in Hebron. The IDF stepped up its patrols in the Hebron area while Border Police raised the level of their alert at the Cave of the Patriarchs. In the Gush Katif area, stones were thrown at a settler's vehicle without causing any damage or injuries. (Ha'aretz, The Jerusalem Post, 8 May)

174. On 8 May, the Israeli police raided the Hadassah Hospital in Jerusalem in order to arrest two Palestinian youths with bullet injuries who had been admitted the previous day. The two, Amr Fahd Shukeir, 24, and Nasser Shatara, 22, were injured when Israeli soldiers opened fire at a group of youths in the town of Bethlehem. A soldier was reportedly also injured during the clashes. (Al-Tali'ah, 9 May)

175. On 14 May, the police arrested three members of the Hai Vekayam movement after they had tried to enter the grounds of the Temple Mount to pray by pretending that they were tourists. (Jerusalem Post, 15 May)

176. On 15 May, a Border Policeman was slightly injured during an incident in which stones were thrown at IDF troops and Border Police in Hebron. Other stone-throwing incidents took place in the Ramallah area, in Nablus and in Jenin; no injuries were reported. (Ha'aretz, 16 May)

177. On 19 May, it was reported that the IDF and the security forces had arrested three Palestinians in Hebron on suspicion of planning a "terrorist" attack in the area. In another incident, IDF troops and the Palestinian Border Police arrested a Palestinian man carrying a knife who had tried to enter the Tomb of Joseph in Nablus. The man was detained for questioning. An IDF soldier was slightly wounded when stones were thrown at his car in the centre of Nablus. Another IDF soldier was slightly to moderately wounded by stones thrown at an IDF patrol moving in the Hebron area. Two Palestinian youths were slightly wounded by unidentified gunfire in the Ramallah area. An incendiary bottle was thrown at an army post located in the vicinity of the Cave of the Patriarchs. The bottle exploded without causing any harm. In another incident near the Cave, Palestinian demonstrators threw stones at Border Policemen. Border Police and the IDF shot in the air to disperse the demonstrators. In the Beersheba market, a 25-year-old Palestinian from Rafia was seriously injured after being stabbed twice in the back and beaten on the head with a sharp object. The police were reported to be investigating the incident. In another development, three Israeli peace activists and four Palestinians from Hebron were arrested by IDF soldiers when they tried to approach Beit Hadassah in Hebron and refused to obey orders to leave the area. (Ha'aretz, Jerusalem Post, 19 and 21 May)

178. On 20 May, nine Palestinian demonstrators who threw various objects at IDF troops in Hebron were arrested by soldiers and Border Policemen. In the Netzarim settlement, a settler was slightly wounded when an explosive device went off in one of the settlement's greenhouses. Following the explosion, the IDF closed off the area and launched searches for the perpetrators. (Ha'aretz, 21 May; Jerusalem Post, 22 May)

179. On 21 May, an explosive device went off in the Netzarim settlement, moderately wounding a police bomb-disposal expert in the legs and arms, and slightly wounding another in the back. Following the explosion, large numbers of IDF and police forces arrived on the scene, closed the area off and started searching for other explosive charges. One device was discovered and safely neutralized. A Border Policeman was slightly injured during a stone-throwing incident near the Cave of the Patriarchs. Palestinian sources reported that a Palestinian youth had been injured in the same area by rubber bullets fired by the IDF; the IDF indicated that it had no information about the incident. In the Ramallah area, stones were thrown at IDF vehicles without any injuries being reported. Palestinian sources stated that stone-throwing incidents, during which four Palestinians were arrested, had taken place in Nablus and Bethlehem. Palestinian sources in Gaza reported that an explosion occurred in the autonomous area, near the settlement of Kfar Darom. It was reported that the Palestinian Police believed that the explosion had probably occurred because of a technical problem a "terrorist" was having. (Ha'aretz, Jerusalem Post, 22 May)

180. On 23 May, an Egged company bus driver was slightly wounded when a fire-bomb was thrown at his bus in Ramallah. (Jerusalem Post, 24 May)

181. On 27 May, three Arabs tried to run over a soldier who was on patrol in Nablus. Other soldiers fired at the car and wounded the driver. One suspect escaped while a third one was captured. A Palestinian suffered moderate wounds after being shot twice in the leg by a soldier he had tried to stab at an army roadblock on the Jerusalem-Bethlehem road. (Jerusalem Post, 28 and 29 May)

182. On 28 May, a Border Police officer and a Palestinian from East Jerusalem were slightly injured during a brawl that broke out in Jerusalem's Old City between Palestinians and activists of the outlawed Kach movement. (Ha'aretz, 29 May)

183. On 28 May, several clashes were reported between Palestinians and settlers as Israelis celebrated Jerusalem Day. (The Jerusalem Times, 2 June)

184. On 30 May, a 27-year-old Jewish man suffered slight wounds after he was stabbed in the back by an Arab assailant in Jerusalem's Old City. The police detained some 20 Arabs for questioning. Two Gazan fishermen were injured when a navy patrol boat shot at them off the coast at Zikim Beach, south of Ashkelon. The IDF confirmed that the two Palestinians, aged 45 and 25, were slightly and moderately wounded, respectively, when a navy boat fired at their fishing boat after it had entered a navy training area. In a separate development, the police arrested a fourth suspect thought to be assisting a Bedouin from Tel Sheva in preparing explosives for Hamas that were to be transported in a truck serving as a bomb that was intercepted in that town in March 1995. (Ha'aretz, Jerusalem Post, 31 May)

185. On 1 June, security guards at the Civil Administration offices in Hebron arrested a Palestinian who was found to be carrying a large knife. The suspect was apprehended for interrogation by the security forces. The interrogation revealed that he had intended to stab a Civil Administration official. (Ha'aretz, 2 June)

186. On 2 June, Israeli security forces killed a wanted Hamas "terrorist" (see list) in Hebron by firing anti-tank missiles into the house in which he was hiding. The Israeli soldiers were reportedly equipped with rockets, bulldozers and an armed helicopter. They detained a number of Palestinians for interrogation. A day of mourning was declared in Hebron to protest the killing. The residents of Hebron emphasized that, contrary to Israeli claims, the Hamas activist was not given the opportunity to surrender. In a separate incident, a 23-year-old Jewish settler was stabbed and slightly injured by a Palestinian youth near the Nablus Gate in the Old City of Jerusalem. Police searched the area and arrested a number (some 200 Palestinians) of suspects who were released after questioning. (Ha'aretz, Jerusalem Post, 5 June; also referred to in Al-Tali'ah, 8 June; The Jerusalem Times, 9 June)

187. On 5 June, a 13-year-old boy, Khaldoun Harb of Dhahiriya, in the Hebron area, was killed by a rocket while playing in some military debris left by the Israeli army. His brother, Kayed, 8, was seriously injured and transferred to Makassed Hospital. (The Jerusalem Times, 9 June)

188. On 8 June, an Israeli man sustained slight wounds after being stabbed, allegedly by a Palestinian, near the Nablus Gate in the Old City of Jerusalem.

Police and security forces were called into the area and launched searches for the assailant. Several youths were detained for questioning. A number of incidents involving the throwing of stones and incendiary bottles occurred in the territories, mostly in the Ramallah area. A Border Policeman was slightly wounded by a stone thrown at him by an Arab youth near the Cave of the Patriarchs. (Ha'aretz, 9 June)

189. On 8 June, the father of Bilal Kimayel, who was reported missing since 12 February 1995 after leaving his house to answer a summons to appear at the headquarters of the Jenin Civil Administration, was asked to identify the body of his son. Although his mutilated corpse was found by a shepherd in the Jericho hills on 20 February, his family was not called to identify him until the date cited above. The family refused to bury Kimayel's body before an international medical team conducted an autopsy. (The Jerusalem Times, 16 and 23 June)

190. On 10 June, hundreds of Palestinians took to the streets in Gaza, demanding the release of the some 6,000 Palestinians who were being detained in Israel. Four hundred demonstrators left for the Erez check-point where the Palestinian Police had stepped up its presence for fear of clashes between the demonstrators and IDF soldiers. Thirty Palestinians began a hunger strike at the check-point. A similar demonstration took place in the Jabalia refugee camp. (Ha'aretz, 11 June)

191. On 11 June, IDF soldiers shot in the arm and beat on the face with their guns a leading member of Fatah and arrested and beat at least five other Palestinians during a demonstration against the closure of the territories and the isolation of Jerusalem from the West Bank. The incident, which was said to be one of the most violent clashes between IDF soldiers and Palestinians in the West Bank in recent months, occurred when demonstrators started to throw stones at soldiers who had ordered them to disperse. Soldiers responded by firing bullets and stun-grenades in order to disperse the approximately 200 protesters who had gathered at the Al-Ram roadblock located north of Jerusalem. Soldiers also seized several films of the incident. In Nablus, residents indicated that during a raid on the Moontaza area in the western part of the city, IDF troops took Palestinian youths into the street and searched them. In the Jenin area, IDF soldiers opened fire at a Palestinian driver who had evaded an army roadblock, but did not hit him. In Nablus, two incendiary bottles were thrown at IDF vehicles. One of the bottles exploded on the ground without causing any harm. The IDF launched searches for the attackers. In a separate development in the Nablus area, IDF troops detained for questioning three Palestinians after one of them had been found to be carrying a pistol. Stones were thrown at Border Policemen and security guards in the vicinity of the Cave of the Patriarchs. Soldiers responded by firing in the air. Other stone-throwing incidents took place in the Ramallah area, in Nablus and in Bethlehem. Palestinian sources reported that one Palestinian had been injured by a shock-grenade in the Ramallah area. The IDF did not confirm the report. (Ha'aretz, Jerusalem Post, 12 June; Ha'aretz, 13 June; Jerusalem Post, 14 June)

192. On 12 June, a Palestinian man, 21-year-old Yehya Shehadeh was shot dead (see list) by IDF soldiers when the vehicle in which he was a passenger failed to stop at an army roadblock near Maccabim in the vicinity of the village of

Beit Sira near the Green Line. According to the victim's brother, who was in the car, Shehadeh lost control of the vehicle but skidded to a stop a few metres past the check-point. The soldiers reportedly continued to fire at him. (Jerusalem Post, 13 June; also referred to in The Jerusalem Times, 16 June)

193. On 13 June, the IDF rounded up scores of Palestinians and searched their homes during an extensive hunt for wanted Hamas activists in Nablus. It was reported that several women were subjected to body searches during the operation, which took place at night. Residents stated that helicopters equipped with floodlights lit up the area in order to prevent anybody from fleeing. They also stated that during the searches, soldiers fired and threw concussion-grenades at a construction site in the area. In a separate development, the police arrested five yeshiva students on suspicion of firing shots in the air near the home of Faisal Husseini, who is in charge of Jerusalem Affairs for the Palestinian Authority. (Jerusalem Post, 14 June)

194. On 13 June, clashes occurred between Israeli forces and Isawiya residents over the demolition of the house of Palestinian resident Obeid in Issawiya, in the East Jerusalem area. Twelve Palestinians and two photo-journalists were wounded in the incident. An Israeli soldier was also wounded in the head when youths threw stones at the Israeli forces. (The Jerusalem Times, 16 and 23 June; Al-Tali'ah, 22 June)

195. On 14 June, IDF soldiers shot dead at Rafah a wanted Fatah activist (see list) and two members of PLO Chairman Yasser Arafat's personal guard (see list) who were waiting for persons who were crossing the border (illegally) from Egypt into the autonomous areas. The incident reportedly began when an IDF patrol shot at several infiltrators who were trying to cross the border near Rafiah and killed one of them. According to the IDF, soldiers shot at the two guards after one of them had opened fire. However, Palestinian sources in Rafiah claimed that the men were unarmed. According to a Palestinian National Authority spokesman, one of the men was a wanted member of the Fatah Hawks while the other two had no political affiliation. (Ha'aretz, Jerusalem Post, 15 June; also referred to in The Jerusalem Times, 16 June)

196. On 15 June, a Jewish resident of the Muslim Quarter in the Old City of Jerusalem was stabbed and slightly wounded near his home, apparently by two Arabs. Numerous Border Police and police forces poured into the area and combed it in search of the attackers. Several Arab residents who had witnessed the attack were arrested. In Hebron, a Border Policeman was slightly wounded by a stone thrown at him by Palestinian youths. It was further reported that several incidents in which stones were thrown at IDF and settlers' vehicles had taken place in the Ramallah and Nablus areas; no injuries were reported. (Ha'aretz, Jerusalem Post, 16 June)

197. On 16 June, a Jewish settler from Hebron was stabbed and moderately wounded by a Palestinian youth. The attack happened when the settler walked out of the Hebron area police station where he was questioned about recent attacks against Palestinians. In the vicinity of the Erez check-point shots were fired at a jeep occupied by a joint IDF and Palestinian Police patrol. The bullets hit the jeep but did not cause any injuries. The gunman was subsequently captured by the Palestinian Police. In Hebron, two Border Policemen were slightly wounded

during a stone-throwing incident in the city. Several other incidents in which stones were thrown at IDF vehicles occurred in Ramallah without any damage or injuries being reported. (Ha'aretz, Jerusalem Post, 18 June)

198. On 18 June, shots were fired at Jewish settlers in two separate incidents at the Morag and the Kfar Darom settlements; no injuries were reported. A 43-year-old Orthodox Jew was stabbed and slightly wounded near the Damascus Gate in the Old City of Jerusalem. Numerous Border Police and police forces poured into the area, launched searches for the attacker and detained several suspects for questioning. In a separate incident, four fire-bombs were thrown at the Bethlehem police station without causing any damage or injuries. (Ha'aretz, Jerusalem Post, 19 June)

199. On 19 June, the Israeli authorities detained nine Palestinian youths in the town of Turkumaya, in the Hebron area. Among them were five students in their final year of school who were thus prevented from sitting for their examinations. Five residents of the village of A Tabka were arrested three nights earlier. In a separate development, the Israeli authorities released Hisham Ali Madya after a two-week detention on suspicion of helping wanted persons. Madya's house was demolished on 2 June when the IDF fired anti-tank missiles at it, believing that a wanted Fatah Hawk, Hamed Yaghmour, was hiding there. It turned out that Yaghmour was hiding in another house. (Al-Tali'ah, 22 June)

200. On 20 June, several hundreds of Palestinians demonstrated in Gaza in solidarity with the Palestinian security prisoners' hunger strike. The demonstrators marched along the city's main road with their hands cuffed. Several dozen persons set up shelters in front of the Red Cross headquarters in the city and remained there the whole day. (Ha'aretz, 21 June)

201. On 21 June, a demonstration and rally were held in Gaza to express solidarity with Palestinian prisoners who had begun an indefinite hunger strike three days earlier. (Ha'aretz, 22 June)

202. On 22 June, an Islamic Jihad leader was shot dead (see list) by three masked gunmen near his home in the Shati' refugee camp (Gaza Strip). Some 2,500 to 5,000 people are believed to have attended his funeral. The Hamas and Islamic Jihad movements blamed Israel for the killing and vowed revenge. Israel firmly denied any involvement in the killing, estimating that it was motivated by internal strife within Gaza. In a separate development, Palestinian sources claimed that three Palestinians were injured by IDF gunfire during clashes in the centre of Ramallah. Eyewitnesses were quoted as stating that soldiers opened fire when some 100 Palestinians started throwing stones and iron bars during a demonstration in solidarity with the Palestinian prisoners who had begun a hunger strike for their release. In the Jalazone refugee camp, one camp resident was moderately injured in the leg when soldiers used tear-gas and rubber bullets to disperse stone-throwers. One Palestinian was detained during the clash. In the vicinity of the village of Abu Dis, an IDF soldier was slightly injured when stones were thrown at the vehicle he was travelling in. In the Hebron area, Palestinian youths are reported to have thrown stones at settlers' vehicles. In one of the incidents, a settler responded by firing warning shots; no injuries were reported. (Ha'aretz, Jerusalem Post, 23 June)

203. On 23 June, a commercial strike was observed in the West Bank and the Gaza Strip in solidarity with the striking Palestinian prisoners. (The Jerusalem Times, 30 June)

204. On 24 June, Israeli security forces and Palestinian demonstrators clashed in Judea, Samaria (West Bank) and East Jerusalem during protests in support of the hunger strike declared by Palestinian security prisoners on 18 June. Palestinian sources reported that 15 Palestinians were slightly to moderately injured in clashes in East Jerusalem while five others were wounded in Ramallah when police and soldiers fired rubber bullets at the crowd. In Jerusalem, at least three demonstrators were detained but were later released on personal bail. According to Ha'aretz, 23 Palestinians were injured near Orient House, while three other Palestinians and an Israeli Border Policeman were injured in an earlier confrontation when the police dispersed a demonstration in East Jerusalem. Extremely violent clashes broke out in front of Orient House where Border Policemen and soldiers fired rubber bullets at demonstrators and beat four journalists. A police spokeswoman claimed that the police had opened fire only after bottles and stones had been thrown at the police from Orient House. Orient House officials denied the allegations and expressed indignation over what they described as shooting at people who were running for safety within a fenced compound. In Nablus, soldiers resorted to firing live ammunition and tear-gas in order to disperse some 200 women carrying signs calling on Israel to release their relatives. An eyewitness reported that two protesters had been injured during the confrontation. Similar clashes occurred in Hebron, Tulkarm and Jenin. (Ha'aretz, Jerusalem Post, 25 June)

205. On 25 June, three Palestinians were killed (see list) by IDF gunfire and dozens of others were wounded, four of them seriously, during an unauthorized protest march in Nablus in solidarity with the Palestinian prisoners on strike, which was said to have been repressed with force that exceeded that used at the height of the intifadah. Two of the dead were reportedly shot in the head and one in the back. Some of the marchers, who also included women and children, left the scene with their heads streaming with blood after soldiers used rubber bullets and live ammunition as well as tear-gas to disperse them. Eyewitnesses, including a number of journalists, stated that Border Policemen fired indiscriminately at the protesters. One eyewitness stated that snipers and soldiers from élite units were stationed on the roofs of nearby houses and shot directly into the crowd. The same eyewitness also stated that in numerous cases soldiers went even further and chased fleeing demonstrators all the way to their homes. Four Palestinians were arrested during the clash. Some 50 persons were believed to have been injured during the incident. A joint statement issued by all Palestinian political organizations in the occupied territories denounced the military operation in Nablus as "manslaughter". On 26 June, another Palestinian died of his wounds (see list), thus bringing the number of Palestinian fatalities to four. The violent confrontation reportedly occurred near Juneid Prison after some 500 Palestinian protesters marched from Al-Najah University to express solidarity with the prisoners on hunger strike. According to the IDF, the clash began when the demonstrators, who had been ordered to stop less than a kilometre from the prison, started to riot, throwing stones, slightly wounding two Border Policemen and throwing two fire-bombs, which exploded on the street. Following an earlier statement claiming that only rubber bullets had been used to disperse the demonstration, the IDF acknowledged

on 28 June that live ammunition had also been used because soldiers thought their lives were in danger. In a separate development on 25 June, a suicide bomber detonated explosives loaded onto a donkey cart in front of an IDF base west of Khan Younis, killing himself (see list) but wounding no soldiers. The Hamas movement stated that it had carried out the attack in order to avenge the murder of an Islamic Jihad leader, Mahmoud Hawaja, in Gaza on 22 June. In the Old City of Jerusalem, a Border Policeman on patrol shot and slightly injured in the leg a 22-year-old Palestinian man, allegedly after the Palestinian had tried to steal his gun. In Hebron, a fire-bomb was discovered and safely neutralized by a bomb-disposal expert. (Ha'aretz, Jerusalem Post, 26 June; Ha'aretz, 27 June; Jerusalem Post, 29 June; also referred to in The Jerusalem Times, 30 June)

206. On 26 June, two Israeli citizens were slightly injured by stones thrown at their vehicles in Jericho. The incident occurred when a demonstration calling for the release of Palestinian prisoners turned into a stone-throwing incident. Rallies and demonstrations in support of the Palestinian prisoners on hunger strike continued throughout the occupied territories. In Nablus, where violent clashes with the Israeli security forces had taken place a day earlier, the atmosphere recalled that prevailing in the town during the days of strikes staged during the intifadah: empty streets, barricades, burning tyres and clashes with the Israeli security forces. No injuries were reported. (Ha'aretz, 27 June)

207. On 27 June, three Border Policemen were slightly injured by stones thrown at them by youths in the Hebron district. An IDF soldier was slightly injured by a stone thrown at his car near Ramallah. A Civil Administration worker was slightly injured in the hand by a stone thrown at him near Jenin. In the village of Yatta in Har Hebron, Border Police detained three Palestinians for questioning after they had been found to be carrying a loaded pistol. (Ha'aretz, 28 June)

208. On 28 June, Palestinians demonstrating in support of Palestinian prisoners burned tyres and threw stones at soldiers who responded with tear-gas, stun-grenades and rubber bullets. One protester was slightly wounded during the clash. Other demonstrations and marches in solidarity with the prisoners took place in a number of localities in the West Bank. In Ramallah, demonstrators gathered at the police station where several youths started throwing stones and empty bottles at soldiers and policemen who responded by firing rubber bullets. (Ha'aretz, Jerusalem Post, 29 June)

209. On 29 June, a special Border Police "anti-terror" unit ambushed and shot dead in Ras Jura Taher Kafisha the leader of an Izz al-Din al-Qassam Hamas cell from the Hebron region (see list), which was said to have carried out numerous attacks in which 9 Israeli soldiers and settlers and 14 Palestinians suspected of collaborating with Israel were killed. The killing reportedly took place when the "terrorist" tried to break through the cordon surrounding him, opening fire at the troops and critically wounding an Israeli Border Policeman. A high-ranking Israeli officer was reportedly seriously wounded in the exchange of fire. Two other Palestinians who took part in the operation managed to escape. In Ramallah, a Palestinian protester was slightly injured when Border Police resorted to firing tear-gas and stun-grenades in order to disperse a 200-strong

demonstration staged in support of Palestinian prisoners who were on a hunger strike for the eleventh consecutive day. Nineteen Palestinians were arrested during the clash. During the incident, troops reportedly engaged in hand-to-hand fights with Palestinian youths who wanted to grab their weapons. Troops reportedly also clashed with young Palestinian women who tried to prevent them from arresting persons who were throwing stones and burning tyres. In the Ramallah area, a Border Policeman was slightly injured in one of two separate incidents in which stones were thrown at IDF troops. Another stone-throwing incident occurred in Jenin; no casualties were reported. In addition, eyewitnesses reported that an Israeli army post near the Kiryat Arba junction came under heavy machine-gun fire early in the morning. Another Israeli military post in Hebron was reportedly also attacked. (Ha'aretz, Jerusalem Post, 30 June; also referred to in The Jerusalem Times, 30 June)

210. On 1 July, a 15-year-old Palestinian boy was shot dead in Hebron (see list). The boy was killed either by a soldier, according to the IDF, or by a settler, according to Palestinian eyewitnesses. Four Palestinian eyewitnesses who were interviewed separately indicated that soldiers had fired one shot in the air and then wounded the youth with two shots in the legs. As the youth lay injured on the ground, a Jewish settler came running from Tel Rumeida and killed him by firing several shots. The IDF did not comment on the report. The army spokesman stated that the Palestinian was shot by a soldier whom he had tried to stab. Stone-throwing incidents took place throughout Judea and Samaria (West Bank): Palestinians threw stones at soldiers in Nablus, Jenin, Hebron, Ramallah and Bethlehem. In Nablus, some 600 protesters marched through the streets, throwing stones and empty bottles at about 100 IDF soldiers, who responded by firing tear-gas. One soldier was slightly injured by a stone thrown at him during the clash. In Jenin, dozens of Palestinians threw stones at soldiers during a march in solidarity with Palestinian security detainees held in Israel. Soldiers retaliated by firing tear-gas and throwing stun-grenades into the crowd. In Jerusalem, 16 Palestinians were detained over the weekend in two separate nationalistically motivated incidents. Also during the weekend, a resident of the Neve Yaacov settlement located north of Jerusalem was slightly injured by stones thrown from the adjoining Arab neighbourhood of Dalyat el Barid. (Jerusalem Post, 2 July)

211. On 1 July, a 15-year-old Palestinian was first shot in the leg by an IDF soldier and then killed by a shot fired by a settler in Hebron (see list). The soldier allegedly thought that the youth was walking in a suspicious manner at the Tel Rumeida check-point and was taking no heed of orders called out to stop in Hebrew. The youth did not understand the Hebrew language as he had been living in Oman for the past four years. Eyewitnesses stated that when the youth fell to the ground, a Jewish settler, Baruch Marzel, moved to "finish him off". Marzel was the right-hand man of Baruch Goldstein, the Jewish settler who murdered 29 Palestinian worshippers at the Ibrahimi Mosque on 25 February 1994. The youth's family and the Hebron Solidarity Committee, a group of Israeli and foreign peace activists, refuted allegations by the Israeli army that the teenager had tried to stab the soldier. According to other eyewitnesses, both shots were fired by Marzel, who was standing amongst a group of soldiers. (Al-Tali'ah, 6 July; The Jerusalem Times, 7 July)

212. On 2 July, protests in solidarity with the Palestinian detainees on hunger strike took place throughout the West Bank as the prisoners' relatives and Palestinian public figures continued their hunger strike in front of the Red Cross offices in the West Bank. (Ha'aretz, 3 July)

213. On 4 July, Palestinian youths threw stones at an IDF patrol in the vicinity of the Jenin refugee camp. Soldiers responded by firing light bombs and throwing shock-grenades at the stone-throwers. An incendiary bottle was thrown at IDF troops near the Shila settlement in the Ramallah area. Another incendiary bottle was thrown at an Israeli civilian vehicle near the village of Elmurir. Both bottles exploded on the road without causing any injuries. (Ha'aretz, 6 July)

214. On 5 July, a powerful remote-controlled explosive device was discovered and safely neutralized in the Morag settlement in Gush Katif (Gaza Strip). In a separate development, during searches for fugitives in the West Bank security forces detained a Fatah activist found to be in possession of a gun, two ammunition magazines and an IDF uniform. A shoot-out took place in Kabatiya, in the Jenin area, between IDF soldiers and three armed youths who managed to escape. After the incident, soldiers blocked the entrances to the town and conducted searches in residents' homes. It was also reported that three Palestinian youths from Jenin were arrested during a clash between Palestinians and IDF troops in the town. (Ha'aretz, Jerusalem Post, 6 July)

215. On 7 July, a bomb was found on the road leading to the Yitzhar settlement near Nablus and was neutralized by a Border Police bomb-disposal expert. Two fire-bombs were thrown at an army vehicle in the Ramallah area; no injuries were reported. Two suspects were arrested in connection with the incident. It was further reported that two Border Policemen were slightly injured during several incidents that took place in Hebron. (Ha'aretz, Jerusalem Post, 9 July)

216. On 8 July, IDF soldiers shot in the head and seriously wounded a 12-year-old Palestinian boy during demonstrations in Jenin that lasted five hours. The boy, Wasem Awad, was rushed to the hospital with a fractured skull. Five other Palestinian youths suffered from tear-gas inhalation, while several demonstrators were arrested by Israeli undercover soldiers. An IDF soldier and a Border Policeman were slightly injured during the cited demonstrations. Palestinian sources reported that three Palestinians were injured by IDF gunfire during a number of incidents in Nablus. An incendiary bottle was thrown at an IDF patrol moving west of Ramallah. The bottle exploded on the ground without causing any harm or injuries. A 27-year-old ultra-orthodox Jew was slightly injured when he was stabbed by a Palestinian youth in the Old City of Jerusalem. Following the incident, numerous police and Border Police contingents poured into the area and launched searches for the assailant. Several dozen Palestinians were taken into custody. Most of them were released after questioning. (Ha'aretz, Jerusalem Post, 9 July; Ha'aretz, 10 July)

217. On 9 July, the IDF safely detonated a roadside bomb planted near the Ganei Tal settlement (Gaza Strip). In Nablus, soldiers resorted to firing tear-gas and rubber bullets in order to disperse riots during which Palestinian youths threw stones and empty bottles at IDF troops. Palestinian sources reported that five youths were arrested during the confrontation. Stones and incendiary

bottles were thrown at an army vehicle in Tulkarm where a general strike was staged in solidarity with Palestinian security prisoners. (Ha'aretz, Jerusalem Post, 10 July)

218. On 11 July, the IDF safely detonated three explosive devices in the Gush Katif area (Gaza Strip). (Jerusalem Post, 12 July)

219. On 13 July, a number of incidents took place throughout the territories: a woman tourist was slightly injured when stones were thrown at the tourist bus in which she was travelling near Tulkarm. Two Border Policemen were slightly injured by stones thrown at them in the Hebron area. Other incidents in which stones and empty bottles were thrown at IDF troops occurred in Ramallah, Hebron and Jenin. Two incidents in which Palestinian youths threw empty bottles at IDF patrols were reported in Al-Bireh, while two other incidents involving the throwing of stones at IDF troops and settlers' vehicles took place in the Gush Katif area. (Ha'aretz, 14 July)

220. On 14 July, undercover soldiers shot and slightly wounded in the leg a stone-throwing Palestinian youth after he had failed to comply with an order to halt during demonstrations in the centre of Nablus. (Ha'aretz, 16 July)

221. On 18 July, two young Israeli hikers were gunned down in the Wadi Kelt natural reserve located between Jerusalem and the PLO-controlled enclave of Jericho. Their bodies were discovered with bullet and stab wounds. The PFLP claimed that it had carried out the attack. After the incident, hundreds of right-wing activists and settlers blocked the roads around Jericho and staged a demonstration in front of the Prime Minister's house to protest against the murder. Stone-throwing incidents involving settlers from the Neve Daniel settlement were reported on the Jerusalem-Hebron road near the Gilo settlement, in Bethlehem and in Ramallah. (Ha'aretz, Jerusalem Post, 19 July; also referred to in The Jerusalem Times, 21 July)

222. On 23 July, an Israeli policeman and a press photographer were slightly injured when seven members of the Jewish Hai Vekayam movement tried to enter the Temple Mount in order to pray there. The activists were detained for interrogation. The incident followed two other attempts by Hai Vekayam activists earlier in the day to force their way onto the Mount. (Ha'aretz, 24 July)

223. On 23 July, a Palestinian police officer (see list) was shot and killed in the Shati' refugee camp, in Gaza, by unidentified assailants. The Palestine Police is investigating the incident. (The Jerusalem Times, 28 July)

224. On 24 July, a suicide bomber blew himself up (see list) and killed five Israelis in a bus in the Tel Aviv business district of Ramat Gan. Thirty-two persons were injured in the explosion, three of them critically. Speaking to the Knesset Labour faction after visiting the scene of the attack, Prime Minister Yitzhak Rabin stated that peace talks would be suspended until after the victims' funerals had taken place. On 26 July, another Israeli died of his wounds, thus bringing the number of Israeli fatalities to six. (Jerusalem Post, 25 July; Ha'aretz, Jerusalem Post, 27 July)

225. On 24 July, Israeli soldiers shot and wounded two Palestinian workers at a check-point outside the village of Azzoun near Tulkarem, a few hours before the suicide bus bombing in Ramat Gan. The incident occurred when Israeli soldiers refused to allow Palestinian workers into Israel to work and began harassing hawkers at the site. The soldiers opened fire at the protesting labourers and arrested several persons. In a separate incident, a Palestinian suicide bomber blew himself up in Ramat Gan, in a bus belonging to the Dan company, killing 5 Israelis and wounding 33. (The Jerusalem Times, 28 July)

226. On 26 July, a number of incidents were reported in the territories: a Border Policeman was slightly injured during a stone-throwing incident in the Ramallah area. Other incidents in which stones were thrown at Israeli vehicles took place in the Hebron area, without any reports of casualties. (Ha'aretz, 27 July)

227. On 30 July, a "Bangalore" torpedo exploded on a dirt road leading to the disputed Givat Hadagan hill next to the Efrat settlement. A police patrol car was slightly damaged and one policeman slightly injured by the explosion. (Ha'aretz, 31 July)

228. On 31 July, 20 members of the Hai Vekayam movement were detained after trying to pray on the Temple Mount, as the group continued its almost daily attempts to defy the ban on all but Muslim worship at the site. (Ha'aretz, Jerusalem Post, 1 August)

229. On 3 August, three Palestinians were slightly injured by rubber bullets fired by the IDF while two others were arrested during violent five-hour-long disturbances in Nablus, which broke out to commemorate the fortieth anniversary of violent events in the town, when 3 Palestinians were killed and some 50 injured as the security forces dispersed a demonstration in solidarity with Palestinian prisoners. An Israeli soldier was slightly wounded by a stone thrown at him during the clashes. In a separate incident, shots were fired in the air near the East Jerusalem home of PLO official Faisal Husseini. Six young right-wing activists were arrested in connection with the incident. During their interrogation, one of the suspects admitted to firing shots, allegedly after their car was pelted with stones near Husseini's home. The police arrested two of Husseini's guards on suspicion of throwing stones at the youths. (Ha'aretz, 4 August)

230. On 6 August, shots were fired at a Border Police patrol jeep at the Morag junction. The jeep was slightly damaged but no casualties were reported. A number of stone-throwing incidents in which a Border Policeman was slightly wounded and four other Israelis slightly to moderately injured took place in Hebron. Also in Hebron, a Palestinian was slightly wounded during the throwing of stones between Palestinians and settlers near Beit Hadassah. Other incidents in which stones were thrown at IDF soldiers occurred in Nablus, Jenin and Gush Katif. In Ramallah, soldiers dispersed Palestinian youths who burned tyres and threw stones and empty bottles at them. (Ha'aretz, 7 August)

231. On 8 August, a small pipe bomb was discovered and safely neutralized in the Ramot Eshkol settlement in Jerusalem. (Jerusalem Post, 9 August)

232. On 10 August, a Palestinian youth was killed (see list), apparently by an IDF artillery shell that exploded in an IDF training area. (Jerusalem Post, 11 August)

233. On 11 August, an IDF soldier was slightly injured when stones were thrown at an IDF patrol in Nablus. (Ha'aretz, 13 August)

234. On 12 August, four Palestinians were arrested by Border Police in Jenin after they were found to be carrying a revolver and an ammunition magazine. In a separate development, an armed infiltrator from Jordan was apprehended in the Jordan Valley. His interrogation revealed that he was a Palestinian from a village in the Jordan Valley who had crossed into Jordan a month earlier in order to try to smuggle weapons into the territories. (Ha'aretz, Jerusalem Post, 13 August)

235. On 13 August, an IDF soldier was slightly injured when a roadside bomb exploded as two patrol jeeps approached the Morag junction in the Gaza Strip. (Ha'aretz, Jerusalem Post, 14 August)

236. On 13 August, a 23-year-old Palestinian youth was killed by an Israeli settler in the village of Dura, in the Ramallah district (see list). The incident took place during a demonstration by the residents of Dura to protest the attempts of settlers to take more land. Settlers started shooting at demonstrators who had set fire to a brick house and to a tent in their settlement on Artis Hill. The youth was shot in the stomach and later died in hospital. Other Palestinians were reportedly also reported injured during the clashes. An Israeli settler, Ze'ev Liebskind, was detained by the Israeli police. An Israeli border guard was seriously wounded in the Gaza Strip when a hand-grenade was tossed into the vehicle in which he was riding. The Islamic Salvation Front, a splinter group of the Hamas and Islamic Jihad movements, claimed responsibility for the attack. (Al-Tali'ah, 17 August; The Jerusalem Times, 18 August)

237. On 14 August, a general commercial strike was observed in Ramallah to protest against the killing of a Palestinian man by settlers on 13 August. Palestinian youths burned tyres in the main square and threw stones at Israeli army patrols. No injuries or arrests were reported. (Jerusalem Post, 15 August)

B. Administration of justice, including the right to a fair trial

1. Palestinian population

Oral evidence

238. Mr. Sami Abdel Rahman Mohsen Hashish, a staff member of the Land and Water Establishment for Studies and Legal Services, provided the Special Committee with the following information concerning the administration of justice, especially when settlers are involved:

"Regarding violations on the part of the settlers, the danger of the violations perpetrated by settlers lies in the fact that those violations are carried out under the very eyes of the Israeli Government, which provides the settlers with the necessary protection they need in order to continue their violations against the Palestinians and give them all the support they need by giving competence to the police stations not to receive and not to accept the complaints submitted by the Palestinians when there is an act of aggression involving their land or their property. This is a matter which the law regrets. What we regret is that the Israeli judiciary is not impartial when it considers all the disputes that arise between the Palestinians on the one hand and the settlers on the other hand. When complaints are submitted to the Legal Council of the Israeli Government (that is something I know, because I work in the Establishment), complaints concerning acts of aggression on the part of the settlers, like the de-surfacing of land, the uprooting of trees, the building of roads around settlements, the expansion of the settlements' borders, in most cases the answer we get from the Israeli Legal Council is to refute that there has been an act of aggression. They always say that this act of aggression is an invention or an illusion in the mind of the Palestinians, very well knowing otherwise that the bulldozers are still working in those areas and that it is not an illusion at all. The Israeli courts do not hesitate either to overturn a decision they have taken against the settlers. Furthermore, the Israeli army itself does not consider itself bound by any of the decisions adopted by the Israeli courts. I can give you an example of the lack of impartiality of the Israeli judiciary. A lawyer from our Establishment got from the competent Israeli court an advisory opinion in order to hold up the activities of the settlement on the land of the village of Al-Janiya, close to Ramallah. But what happened was that the Israeli army rejected that advisory opinion and allowed the settlers to continue with their violations. Hence, the court came back on its decision and favoured the activities of the settlers." (Mr. Sami Abdel Rahman Mohsen Hashish, witness No. 17, A/AC.145/RT.673)

239. A Palestinian lawyer described to the Special Committee the reasons for the partiality of the Israeli authorities in favour of settlers:

"The Israeli authorities always take the side of the Israeli settlers, and for many reasons, national reasons, religious reasons and most importantly for electoral reasons, because each settlement has a representative in the Knesset who will see to their interests and will not permit even Rabin himself to prevent them from doing what they want, as they say that 'this is the land of Israel and they are free in the way how they dispose of this land'." (Mr. Imad Ali Al-Sharqawi, witness No. 16, A/AC.145/RT.672)

240. The Director of the Mandela Institute for Political Prisoners stated the following with regard to the administrative detention of Palestinian prisoners:

"Regarding administrative detention, the Mandela Institute affirms that the occupation authorities continue to apply the policy of administrative detention. In Ketziot, there are 700 detainees, of whom 220 are administrative detainees. For 32 of them, the detention was renewed

for the second and the third and the fourth time, sometimes. The Institute notes also that most of the administrative detainees, in particular those whose period of detention has been renewed, are those who oppose the peace agreements and who are detained within the context of campaigns of collective punishment." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

241. Mr. Sayyad stated the following concerning the prosecution of persons responsible for deaths during questioning and investigation:

"As far as investigators and soldiers are concerned, when it has been proved that they have 'made mistakes' (sic), that people have died during questioning and investigation, the punishment so far has consisted of a disciplinary action only. In the case of Abdelsamad Herizat, the Minister of Justice of Israel set up a committee of inquiry headed by the legal counsel of the Ministry. Following the autopsy, the Minister said that 'mistakes' (sic) had been committed by the investigators which had led to the death of the prisoner. Disciplinary action would be taken against some of the investigators concerned, if proved that their actions had resulted in the death of the prisoner. A week ago, we were informed that the committee of inquiry was still carrying out its investigation and had not completed it yet." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

242. Mr. Fouad Issa Abu Hamid, a field researcher at the B'tselem human rights organization, described the situation concerning the court case of Mr. Rantisi, a member of the Hamas movement:

"Mr. Rantisi was one of the leaders of the Hamas movement. He had been deported to Majd Al-Zuhur in Lebanon and was arrested soon after he came back from Lebanon. I believe that his court case was postponed 14 times. The reason why his case was postponed was to provide witnesses and other reasons in connection with the presentation of witnesses. Mr. Rantisi was accused of a number of crimes, one of being a leader in the Hamas movement. But he did not admit the charges and there has been no proof, according to a statement by his lawyers." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

243. Dr. Ruchama Marton, the founder and Chairperson of the Association of Israeli-Palestinian Physicians for Human Rights, provided the Special Committee with the following information with regard to the sentencing of mentally ill Palestinian prisoners:

"I did not see even one prisoner who is really insane who could get a proper medical diagnosis and who, according to this proper diagnosis, would not go to trial and be tried - as it should be and as is the case for every Jewish Israeli prisoner. It should be so that if somebody is crazy, insane, mentally sick, he is not responsible for what he did and he should not get an ordinary trial. I checked the cases of a few prisoners, really insane people. They went to trial, they were sentenced to 8 to 10 years." (Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

244. Accounts of the administration of justice in the occupied territories may be found in documents A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.672 (Mr. Imad Ali Al-Sharqawi), A/AC.145/RT.673 (Mr. Sami Abdel Rahman Mohsen Hashish), A/AC.145/RT.674 (Mr. Ahmad Mohammad Sayyad) and A/AC.145/RT.675 (Mrs. Ruchama Marton).

Written information

245. On 3 April, the Natania Magistrate's Court sentenced a Palestinian from Tulkarm to three years of imprisonment plus two years' suspended sentence for staying in Israel illegally. The judge stated in his ruling that such occurrences undermined the country's security and that the court had to hand down a sentence that would deter the residents of the territories without permits from staying in Israel and from crossing the Green Line. (Ha'aretz, 4 April)

246. On 7 April, a senior official at Orient House, the PLO headquarters in Jerusalem, was arrested and remanded for seven days for allegedly operating a Palestinian police force in the capital. Jerusalem Police Chief, Commander Aryeh Amit, stated that no other police but the Israeli one would be allowed to operate in the country. Police sources revealed that other arrests of Palestinian investigators operating in Jerusalem were likely to be made in the following days. (Jerusalem Post, 9 April)

247. On 27 April, it was reported that the High Court of Justice had partially accepted an appeal by a Fatah Hawk from Khan Younis who had been convicted of attempting to murder his Israeli employer. The judges refused to reduce the 20-year prison sentence that had been meted out to the Palestinian for attempted murder, but decided to reduce to two-and-a-half years the five-year jail term to which he had been sentenced for other offences related to the use he had made of a forged Israeli identity card in order to cross from the Gaza Strip into Israel and back. (Ha'aretz, 27 April)

248. On 1 May, the trial of Abdul Aziz Rantisi, one of the 415 Muslims who were deported to southern Lebanon in December 1992, was postponed for the sixteenth time. The trial, delayed on the pretext that two witnesses from Gaza were unable to attend, was rescheduled for 5 June. (The Jerusalem Times, 5 May)

249. On 15 May, a judge at the High Court of Justice issued an interim order, pending further deliberation, forbidding the Minister of Defence and the IDF from evacuating some 20 Jahalin tribesmen from the land on which they lived in the areas of Abu Dis and Eizaria, which are located east of Jerusalem. The petitioners claimed that more than 40 years ago the Israeli authorities had expelled them and the rest of their tribe from Tel Arad into Jordanian territory. They subsequently settled on lands lying east of Jerusalem, with the consent of the owners. However, following the occupation of the West Bank in 1967 and the start of the construction of the Maaleh Adumim settlement, most of the tribe were driven out of the area, with only a few persons left along the Jerusalem-Jericho road. The tribesmen who lived in Abu Dis and Eizaria remained there, since Maaleh Adumim expanded in other directions. In 1993, however, construction work at the settlement began to expand towards Jerusalem and in 1994 the Israeli authorities issued eviction orders against the 20 petitioners

on the grounds that they were "trespassers". The petitioners claimed that the orders had been issued despite the fact that they had been living in the area for more than 40 years, while it had been under Israeli control for only 27 years. In addition, the lawyer representing the tribesmen pointed out in the petition that construction work on the site, which is located a metre or two from the petitioners' encampment, was proceeding at full speed, thereby endangering their lives and health. The lawyer also claimed that the alternative site to which the authorities wished to transfer the petitioners was a garbage dump, where their health would be in even greater danger. (Ha'aretz, 16 May)

250. On 30 May, the Kfar Sava Magistrate's Court sentenced a 22-year-old Palestinian from Tulkarem to one year in prison for entering Israel illegally and evading an army roadblock on the Kalansawa-Taibe road. (Ha'aretz, 31 May)

251. On 31 May, the Gaza Military Court sentenced a Palestinian from Rafiah to life imprisonment for shooting dead an Israeli in March 1993. (Ha'aretz, 1 June)

252. On 1 June, the Military Court of Appeals in Ramallah repealed the death sentence imposed on "terrorist" Sayid Badarna, 25, six months earlier, on 24 November 1994, for his involvement in a series of attacks against Israeli targets, including the attacks in Hadera and Afula in 1994 when four Israelis were killed and several others wounded. A panel of five judges indicated that there had been "irregularities" in the trial and decided to refer the case back to the Jenin Military Court for a renewed hearing by a court with a different composition. (Ha'aretz, 2 June; also referred to in The Jerusalem Times, 9 June)

253. On 1 June, the High Court of Justice accepted an appeal filed by a 17-year-old Palestinian from East Jerusalem against a Jerusalem Magistrate's Court deliberation that had authorized his detention until the end of his trial. The youth, charged with throwing an incendiary bottle at an "Egged" company bus, claimed that he had admitted committing the offense only after he was told by his interrogator that he would be sentenced to 20 years of imprisonment unless he confessed. The Court stated that the evidence against the defendant cast doubts on his guilt and ordered that he be released on bail. (Ha'aretz, 2 June)

254. On 2 June, it was reported that the Hebron Military Court had sentenced a Hamas activist, Mussa Mouhamad Salam Budin, to life imprisonment for killing an Israeli soldier in December 1992. (Ha'aretz, 2 June)

255. On 2 June, the Erez Military Court sentenced Atiya Jaber, aged 30, to 12 years' imprisonment for having helped the Hamas movement kill an IDF soldier in Gaza in 1994. (Jerusalem Post, 5 June)

256. On 6 June, a Palestinian from Hebron appealed to the High Court of Justice to order the Hebron police to track down and place on trial a settler who had shot and wounded him. The Court was also asked to order the Judge Advocate-General to find the IDF soldiers who had witnessed the shooting incident and, if necessary, to place them on trial as well. The petitioner, Abu Sanina, 34, claimed through his attorney Leah Tsemel that a year earlier, while he was on

his way to work in Hebron, he saw a number of settlers throwing stones at passers-by near Beit Hadassah. Seeing that soldiers did not intervene, he turned to them and asked that they prevent the settlers from continuing to throw stones. Once he left the scene and was a couple of metres away he was shot in the leg and was transferred to a hospital by passers-by. Mr. Sanina claimed that the injury had caused him irreversible harm and that he had to use crutches for a long time. He stated that he had filed a detailed complaint, which included a list of witnesses who had unmistakably identified the gunman as a settler. However, three months later, the Hebron District Police informed him that the investigation file had been closed on grounds that the offender was "unknown" to them. A similar explanation was provided by the Military Prosecutor, who, acting on behalf of the Attorney of the Central Command, notified Attorney Tsemel that the IDF had not investigated the incident owing to "lack of information". Attorney Tsemel stated, however, that, in her view, no effort had been made to capture the gunman, despite the fact that he was known to local residents and easily identifiable. She alleged that had the situation been the other way around, that is, if a local Palestinian resident had fired at a settler, the police and the IDF would have done everything in order to capture the attacker and would even have involved the GSS in the case. (Ha'aretz, 7 June)

257. On 6 June, the High Court of Justice rejected an appeal filed by Fathia Shukaki, the wife of the Islamic Jihad leader Dr. Fathi Shukaki, against her expulsion from Israel. The Court accepted the State Attorney's claim that the petitioner's right to permanent residence in Israel had elapsed when, six years earlier, she had left Israel for the Syrian Arab Republic where she lived with her husband after his deportation from Israel. (Ha'aretz, 7 June)

258. On 7 June, it was reported that a Palestinian worker who had been dismissed from his job in Israel owing to the closure of the territories won a precedent-setting labour court ruling. The court awarded the Palestinian, who was fired after having worked for the same company for 20 years, full severance pay, amounting to 20 months' wages. (Jerusalem Post, 7 June)

259. On 8 June, the High Court of Justice issued an order whereby the Minister of the Interior had 45 days to explain why he would not reverse his decision to invalidate an entry visa issued to a former Palestinian prisoner who was visiting his family in Jerusalem. The Court also ordered that the petitioner, who was reported to be living in Amman, should not be expelled from Jerusalem, at least until the expiry of his visa. (Ha'aretz, 9 June)

260. On 19 June, the Ir Shalem Association appealed to Attorney-General Michael Ben-Yair, demanding that he halt the implementation of all demolition orders that had been issued recently in East Jerusalem by Jerusalem Mayor Ehud Olmert. The Association demanded that the Attorney-General order Mr. Olmert not to issue any additional demolition orders. In its letter to the Attorney-General, the Association indicated that in 1995 there had been an increase of more than 560 per cent over 1994 in the number of administrative demolition orders issued in East Jerusalem. According to official data of the Jerusalem municipality, the scope of illegal construction in East Jerusalem did not exceed the relative ratio of the city's Arab population (28 per cent). Nevertheless, 88 per cent of the administrative demolition orders were issued to

Arab residents. The Association also argued that a study of the municipality's figures revealed that the right to fair legal proceedings was reserved for the Jewish residents of the City and was systematically denied its Arab residents. (Ha'aretz, 20 June)

261. On 27 June, the Association for Civil Rights in Israel (ACRI) filed a petition with the High Court of Justice in which it demanded that the GSS should not be allowed to shake prisoners during their interrogation. The petition also asked for an interim injunction against the practice of shaking on the grounds that the continued application of the practice of shaking prisoners could cause irreversible damage, namely, severe and permanent brain injury, damage to nerve fibres and might even lead to death. The petition is said to have been filed after the death of Palestinian detainee Abdel Harizat as a result of shaking by a GSS interrogator. The petition noted that Harizat's death should not have come as a complete surprise since other prisoners had already fainted in the past while being shaken, proof that the brain was affected by such a practice. ACRI pointed out that it had already submitted to the Attorney-General numerous complaints on behalf of detainees alleging that they had been subjected to violent and humiliating interrogations, including shaking. The Association noted that the Attorney-General had not yet responded to its most recent complaint, filed eight months earlier on behalf of a Palestinian detainee. (Ha'aretz, Jerusalem Post, 28 June)

262. On 2 July, the High Court of Justice rejected a petition demanding that part of the Har Homa housing development project be earmarked for Arab housing. In its rejection of the petition, which was filed by Ornan Yekutieli (Meretz) a member of the Jerusalem City Council, the Court stated that the scheme was "premature". (Ha'aretz, Jerusalem Post, 3 July)

263. On 4 July, the Nablus and Ramallah Military Courts sentenced to six months' imprisonment two Palestinian youths who had thrown stones at an IDF patrol. (Ha'aretz, 6 July)

264. On 4 July, it was reported that the High Court of Justice had granted permission of appeal to a Palestinian journalist, Yousef Jabarin, who had been convicted of writing articles praising the intifadah. ACRI, which filed the appeal on behalf of the journalist, argued that the State had failed to prove that the nature of the articles would "almost certainly" incite violence, and that a lesser degree of certainty was not a sufficient motive for a criminal conviction. An appeal was also made against the severity of the sentence. The petitioner's attorney indicated the while Mr. Jabarin was fined NIS 15,000 and sentenced to two years of a suspended prison term, four Jews, who, two months before, were convicted of praising the Cave of the Patriarchs (Ibrahimi Mosque) massacre, had been sentenced to four months of imprisonment suspended and ordered to pay a fine of NIS 1,000. (Ha'aretz, Jerusalem Post, 4 July)

265. On 5 July, the trial of the former deportee to southern Lebanon, Abdel Aziz Rantisi, was postponed for the twentieth time. Rantisi is expected to appear before the court again on 4 August. (The Jerusalem Times, 7 July)

266. On 19 July, the High Court of Justice issued an interim injunction, pending a final deliberation, ordering OC of IDF troops in the West Bank to refrain from

carrying out demolitions, excavations or construction work on some 24 dunums (6 acres) of Palestinian-owned land in the Kabatiya village. (Ha'aretz, 20 July)

267. On 26 July, the Ramallah Military Court sentenced two members of the PFLP, Mahmoud Nasser A-Din and Karam Hamad, both from Ramallah, to life imprisonment plus 18 and 12 years, respectively, after they were convicted of killing a suspected Palestinian collaborator; of planting an explosive device near the Matityahu settlement; of attempting to shoot at settlers in Ramallah; and of throwing incendiary bottles at Israeli vehicles. Mahmoud A-Din was also convicted of the attempted kidnapping of a suspected Palestinian collaborator. (Ha'aretz, 27 July)

268. On 27 July, the Jerusalem Magistrate's Court acquitted a yeshiva security guard, Dimitri Birmat, who in January 1995 had shot dead Abed al Jalani, a 26-year-old Palestinian, as he entered the yeshiva to deliver vegetables. The Court accepted the defendant's claim that he shot Jalani because he feared that the van was booby-trapped. (Ha'aretz, 28 July; also referred to in The Jerusalem Times, 4 August)

2. Israelis

Written information

269. On 11 April, the police arrested but released soon after six members of the Hai Vekayam movement after they had tried to enter Temple Mount in order to pray there. Members of the movement are said to have been trying to pray on the Temple Mount for some time in order to renew the bond between the Jewish people and its spiritual centre. (Ha'aretz, 12 April)

270. On 14 April, it was reported that the police had fined 93 Israelis who had employed Palestinians without a permit and 22 Israeli employers who had put up for the night Palestinians without valid permits to stay in Israel. (Ha'aretz, 14 April)

271. On 16 April, an IDF soldier from the Givati regiment was sentenced to 18 days' confinement for shooting at cameras belonging to Palestinian press photographers who came to take pictures at the scene of the Kfar Darom attack, which occurred on 9 April. Another soldier who participated in the act was sentenced to 28 days' confinement. (Ha'aretz, 17 April)

272. On 17 April, the Hebron District Police arrested and detained for 48 hours a settler from Kiryat Arba who was a member of the outlawed Kach movement, after a large quantity of ammunition had been found in his house. (Ha'aretz, 18 April)

273. On 17 April, 18 members of the Hai Vekayam movement were detained by the Jerusalem police for trying to pray on the Temple Mount. They were all released soon afterwards. (Ha'aretz, Jerusalem Post, 18 April)

274. On 18 April, the High Court of Justice rejected a petition by the leader of the Temple Mount Faithful asking that the police be ordered to allow him onto

the Mount. The judges ruled that the police had the right to deny entrance to whomever they considered likely to increase tension at the site. (Jerusalem Post, 19 April)

275. On 24 April, it was reported that the Samaria District Police had detained for questioning and subsequently released a Jewish settler suspected of firing in the air in order to frighten Arab farmers from the village of Burin in the Nablus area. The arrest was made after a resident of the village complained that settlers had attacked him and his family as they were tilling their land near the village. The man stated that one settler had fired in the air while others hit and kicked his family. During the investigation, the settler admitted to firing in the air because he felt "threatened", adding that he had arrived on the scene to make sure that "they [the Arabs] were not trying to seize state-owned lands". He denied, however that he had hit them and stated that two bearded Jews who had also arrived on the scene hit the Arabs with the butts of their UZI sub-machine-guns and that they had kicked them. A special police inquiry team was said to be searching for the two men. (Ha'aretz, 24 April)

276. On 1 May, it was reported that the head of the GSS had decided to transfer to other assignments one of the two GSS agents who had been involved in the interrogation of Abdel Harizat, the Hamas detainee beaten to death during his interrogation. (Ha'aretz, Jerusalem Post, 1 May)

277. On 9 May, the IDF rescinded an eviction notice it had issued against some 40 yeshiva (Jewish religious school) students in Nablus after settlement leaders promised that the students would not try to rebuild a ritual bathing place in the centre of the town. (Jerusalem Post, 10 May)

278. On 19 May, the Hebron police apprehended Noam Federman, one of the Kach movement leaders, on suspicion that he had burned down a Palestinian printing press in Hebron the previous day. The Kach movement took responsibility for the act on the grounds that the press had been used to print flyers for Fatah and Hamas. Mr. Federman denied having any connection with the fire. (Ha'aretz; Jerusalem Post, 21 May)

279. On 22 May, the High Court of Justice rejected the State Attorney's request to keep in detention until the end of his trial a settler from Neve Dekalim who had been charged with the attempted murder of two Arabs three weeks before. The Court reportedly did not accede to the Attorney's request mainly because of a psychiatric opinion given about the settler. On the other hand, the Court decided to place the settler under arrest within the boundaries of the settlement. According to a subsequent court agreement, the man was placed under house arrest at his parents' home in Rosh Ha'ayin. (Ha'aretz, 23 May)

280. On 7 June, the State Attorney, Dorit Beinish, announced that the GSS investigator who had conducted the interrogation that led to the death of suspected "terrorist" Abdel Samad Harizat would not face criminal charges but would be brought before a disciplinary tribunal. (Ha'aretz, Jerusalem Post, 8 June)

281. On 11 June, the Kirya Military Court of Appeals demoted to the rank of second lieutenant an Israeli first lieutenant convicted on two counts of illegal delivery of IDF weapons for use in attacks against Palestinians. The lieutenant, Oren Edri, who had been sentenced in January 1995 to 15 months' imprisonment plus two years' suspended sentence, served five months of his prison term before being released for good conduct. (Ha'aretz, 12 June)

282. On 11 June, the Jerusalem District Police arrested four right-wing activists who had tried to pray on the Temple Mount and refused to leave the site. Later that day, the Jerusalem Magistrate's Court remanded the four in custody for 48 hours when they refused to accept the conditions for their release: the signing of a commitment not to approach the Mugrabim Gate, the signing of bail and the obligation to report to the police every day. (Ha'aretz, 12 June)

283. On 13 June, the Tel Aviv District Court indicted Haniel Korin, 21, for attacking the Gethsemane Church in East Jerusalem and the St. Antonio Church in Jaffa. The attacker, an Israeli army soldier, will be tried in a civilian court. (The Jerusalem Times, 16 June)

284. On 19 June, the Military Court of Appeals acquitted Lt-Col. Amir Mushkato, a former regiment officer in the Gaza Strip, of charges of causing the death by negligence of a 12-year-old girl in the Gaza Strip in 1993. Instead, the Court convicted him of illegal use of weapons and remitted his sentence from six months to three months of a suspended jail term. (Ha'aretz, 20 June)

285. On 27 June, it was reported that the Justice Ministry had dismissed from duty and was preparing indictments against four Border Policemen who had kicked, beaten and slapped a Palestinian they arrested in Jerusalem two days earlier on suspicion that he was staying in Israel illegally. (Ha'aretz, Jerusalem Post, 27 June)

286. On 4 July, six Kahane Hai ("Kahane Lives") activists were convicted by the Kfar Sava Magistrate's Court of carrying out a virtual pogrom in a Palestinian village in the West Bank on 19 March 1992. The six were found guilty of throwing stones at windows of homes and cars, breaking into the village mosque, tearing up prayer books and copies of the Koran, and dismantling the mosque's loudspeaker system. It was reported that a hearing during which a sentence would be pronounced would be held once the court had received a probation officer's assessment of the six activists. (Ha'aretz, Jerusalem Post, 5 July)

287. On 11 July, an IDF reservist was sentenced to 14 days' confinement for having refused to serve in the West Bank, in order not to take part in army preparations for redeployment there. (Ha'aretz, 12 July)

288. On 11 July, the Jerusalem Magistrate's Court sentenced a rabbi to seven months of imprisonment plus four months' suspended sentence for rioting in the Cave of the Patriarchs and attacking an IDF officer. The rabbi, Moshe Levinger, was found guilty of pulling down the screen separating Jewish from Muslim worshippers and using physical violence and abusive language against an IDF officer and Muslims who were praying in the Cave. (Ha'aretz, 12 July)

289. On 13 July, the Jerusalem District Court acquitted 10 policemen from the Jerusalem police Minorities Unit of charges of conspiracy to have three Palestinians from East Jerusalem convicted of murder and attempted murder. Five of the 10 policemen were convicted, however, of aggravated assault, of extorting statements by force during their questioning of the three Palestinians and of fabricating evidence. (Ha'aretz, Jerusalem Post, 14 July)

290. On 14 July, it was reported that the Tel Aviv District Court, deliberating on an appeal by four Border Policemen convicted of assaulting and beating an Arab, commuted the six-month prison sentences imposed on three of the policemen to community work. In addition, the Court repealed another six-month prison sentence meted out to the fourth policeman and partly cleared him of charges. The beating reportedly took place on 6 June 1990, when the policemen beat up an Arab worker who had accidentally hit a customer while gathering trolleys at the Ayalon shopping centre in Ramat Gan. The Tel Aviv Magistrate's Court found the four Border Policemen guilty of assault and beating under aggravating circumstances and sentenced them to six months' imprisonment plus a one-year suspended sentence. In addition, it ordered each policeman to pay the plaintiff NIS 1,000 as compensation. (Ha'aretz, 14 July)

291. On 4 August, the Jerusalem Magistrate's Court ordered the release of four young right-wing activists arrested in connection with a shooting incident near the East Jerusalem home of senior PLO official Faisal Husseini. (Ha'aretz, 6 August)

292. On 4 August, the Jerusalem Magistrate's Court ordered the release of the spokesman for the Kach movement who had been arrested in Jericho on suspicion of violating a restricting order issued against him by the OC Central Command. (Ha'aretz, 6 August)

293. On 9 August, the Rehovot Magistrate's Court sentenced the head of the Zo Artzeno ("This is Our Country") movement to 10 months in prison or a NIS 10,000 fine for rioting during a demonstration against the Israeli-Palestinian peace process. In addition, the Court sentenced him to a six-month suspended prison term effective for three years. (Ha'aretz, Jerusalem Post, 10 August)

294. On 18 August, it was reported that a military court of the Southern Command had convicted an IDF regiment officer of causing death by negligence of a one-and-a-half-year-old Palestinian baby from the Jabalia refugee camp on 16 May 1993. He was sentenced to a four-month suspended prison term effective for two years and transferred to another assignment. (Ha'aretz, 18 August)

C. Treatment of civilians

1. General developments

(a) Harassment and physical ill-treatment

Oral evidence

295. A person who testified before the Special Committee described the treatment of young men in the occupied territories by Israeli soldiers:

> "Harassment is something that every young man experiences. This is not directed to one person as such and it is a very humiliating experience being a young person in Hebron or in the occupied territories, because you could be walking in the street and then you are stopped, you are questioned by the soldiers. They ask for your identity. They line you up against the wall. It happens to everybody.
>
> "Sometimes, out of total whim, they would take the identity card, tear it to pieces and just throw it away, telling the person to go and get another identity card. This has not been my case in particular, but I know of many young men who went through that." (Anonymous witness No. 12, A/AC.145/RT.671)

296. Mr. Fouad Issa Abu Hamid, field researcher at the B'tselem human rights organization, spoke to the Special Committee about what amounts to administrative harassment of the Palestinian population of the occupied territories:

> "As you know, since the beginning of the intifadah the Israeli authorities have increased and intensified the necessity for the Palestinian citizens to have to get in touch with the Civil Administration, in many ways. To renew an identity card or to have a birth certificate issued can take a week or a month, depending very much on the mood of the person in charge in the Civil Administration.
>
> "At four o'clock in the morning, Palestinians start queuing up in front of the offices of the Civil Administration. Until 12 midday, hundreds of them stand there. They enter the offices three or four at a time throughout the day. There is no particular place where all these people can wait. It could be raining, there could be hot sun, they are just there waiting to enter into the offices." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

297. Mr. Awad Issa Awad Mansour, researcher at the Palestine Human Rights Information Centre, described to the members of the Special Committee the difficulties encountered by persons who go to the Ibrahimi Mosque in Hebron or simply move about in that area:

> "We are in the street that leads to the Ibrahimi Mosque. There is a makeshift gate, which has been installed as part of the new measures taken since the Hebron massacre in order to control movements to the Ibrahimi

Mosque. There is also another makeshift gate 30 metres ahead. Between that is a military roadblock and soldiers are there. Then, there is another fenced gate which opens to allow some vehicles to pass through. People, generally, have to go up beyond this street. They have to go into a booth which screens individuals one by one. There is one booth for entry and one for exit. Whether you enter the Ibrahimi Mosque or just have to go through because you live in this area, you have to go through the same process." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

298. One person with whom Mr. Mansour talked described the situation in the following manner:

"Entering the Ibrahimi Mosque is like entering an official building, like the White House. You are screened, body checked and there are cameras which observe you and every movement you make as you are inside. There is a quota of how many Palestinians are allowed to enter to worship in the Mosque and this is 450.

"People used to come along the street during the various prayer times during the day, and to go to the Mosque and pray and then go back to their daily schedule. Now, one has no guarantee that one will arrive here without being, at some point, stopped and/or harassed. Also, if you reach the Mosque and it is full, particularly on Fridays, you are not guaranteed to enter, to be among those allowed to enter the Mosque to pray." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

299. The fieldwork coordinator of the Gaza Centre for Rights and Law, Mr. Ibrahim Khamis Shehada, described the hardships experienced by Palestinian workers employed in Israel:

"Concerning the area of Erez - which is in the northern part of the Gaza Strip - it is still under Israeli occupation according to the Agreement. The Palestinians daily experience all forms of provocation and harassment when seeking access to this area. And yet it is a vital area for the Palestinians because there are there a number of Palestinian factories, banks, the post office, as well as a place for the manufacturing of magnetic cards.

"As I say, the Palestinians greeted the Accord with great hope and received the Palestinian security forces with joy and expectation. Exactly two months later, the Erez incident took place. Three workers were killed and 84 other workers were injured. Then, we had the economic crisis. People began to suffer. There were 185,000 workers in the Israeli sector, of whom 85,000 were registered in the labour offices. A decrease in the number of workers took place. Then, the Israeli authorities started to impose new restrictions, degrading restrictions, that some of the workers named halabat. I will explain to you what is meant by this Arabic word halabat. This is the place where cows are brought for milking. Well, the workers are put in a similar place, an iron enclosure. Every half hour, a worker enters the enclosure. This was before October 1994. This system of 'milking enclosures' continued, but became even more severe and every quarter of an hour a worker would enter the enclosure. Also, other

measures were added. The worker would leave home at 3 o'clock in the morning to arrive at his workplace at 8 o'clock in the morning, spending five hours on the Erez passage. People started to lose their enthusiasm for the peace process. They were expecting that peace would take place and that living conditions would improve. But they discovered the opposite. Hence, we find the incident in the Ibrahimi Mosque and the killing of three Palestinian soldiers, as well as suicidal missions. All this led to a certain feeling of instability. The Palestinians were hoping that the Israelis would withdraw from the West Bank. Israel spoke of Jenin first, or Bethlehem. All these factors led to the fact that the Palestinian citizens do not follow and are not closely interested in the process." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

300. A fieldworker of the Association of Israeli-Palestinian Physicians for Human Rights told the Special Committee about the harassment of Palestinian patients from the Gaza Strip at the Erez border crossing:

"After the closure, only 10 ambulances were allowed in and at present only 8 are permitted to enter Jerusalem and Israel with sick people. The Israeli soldiers at the Erez border demand that the patients get off the vehicles and walk 100 or 150 metres, while the vehicles drive on the other side, and then they are allowed in the ambulances again. This is a violation of human rights. It is dangerous for their life. The drivers of the ambulances have contacted us several times on this question." (Mr. Salah Haj Yehya, witness No. 22, A/AC.145/RT.675)

301. Testimonies relating to the harassment and physical ill-treatment of civilians in the occupied territories may be found in documents A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour), A/AC.145/RT.671 (anonymous witness) and A/AC.145/RT.675 (Mr. Salah Haj Yehya).

Written information

302. On 5 April, IDF soldiers are reported to have raided several houses in Hebron's Old Town, breaking doors of abandoned houses and demolishing furniture in other homes. In a separate development, there were reports of several raids being carried out during the week on refugee camps and villages in the area of Nablus. Dozens of Palestinian residents were arrested during these raids for failing to pay taxes or fines. (Al-Tali'ah, 6 April)

303. On 17 April, the IDF stopped the funeral procession of a deceased Palestinian at a checkpoint near the city of Hebron. Mourners as well as the coffin were searched for over 90 minutes, although all legal documents concerning the burial were in order. (Al-Tali'ah, 20 April)

304. On 20 April, it was reported that the Israeli authorities had detained several residents of Hebron for one week, for violation of the curfew. Fines of NIS 1,000 were also imposed on the same grounds. (Al-Tali'ah, 20 April)

305. On 27 April, Hebron residents indicated that since the imposition of the curfew two weeks earlier, the IDF had conducted night raids of houses and shops,

allegedly searching for provocative material, wanted Palestinians and illegal workers. (Al-Tali'ah, 27 April)

306. On 2 May, a dozen masked Border Policemen raided the Makassed Hospital in East Jerusalem and sealed the entrances while they searched for wanted Palestinians inside. The policemen left after an hour without making any arrests. Dr. Amin Thalji, the Director of the hospital, indicated that the raiders had barred ambulances and patients from entering or leaving the hospital compound and searched through the emergency room records. The police spokesman, Eric Bar-Chen confirmed that the raid had taken place, stating that it was ordered after police had received information that hostile activity was being carried out inside the hospital. He refused to comment when asked why the policemen had covered their faces. (The Jerusalem Post, 3 May; also referred to in The Jerusalem Times, 5 May)

307. On 15 May, Sheik Abdala Nimar Darwish and Dr. Ahamad Tibi were held up for about an hour at the Erez checkpoint before being allowed to enter the Gaza Strip, as a result of which they arrived late for their meeting with the PLO and the Palestinian Authority Chairman Yasser Arafat. (Ha'aretz, 16 May)

308. On 2 June, it was reported that a study prepared by the Israeli human rights information centre, B'tselem, outlined the difficulties confronting the residents of Hebron following the Ibrahimi Mosque massacre on 25 February 1994. After the massacre, B'tselem noted a dramatic increase in the number of complaints from Palestinian residents about their treatment at the hands of Israeli police, soldiers and settlers. According to the report, the Israeli authorities had divided the city into sectors by installing 13 checkpoints, isolating neighbourhoods and closing down markets. The report indicated that the Israeli authorities had changed their shoot-to-kill policy in Hebron since March 1995, by documenting hundreds of cases of Palestinians who were severely beaten instead. B'tselem also found that restrictions imposed by the Israeli Civil Administration were extremely severe and that hundreds of Hebron residents had been compelled to stand in line at the Civil Administration every day to seek permits. (The Jerusalem Times, 2 June)

309. On 8 June, it was reported that the Association for Civil Rights in Israel had requested Police Inspector-General Assaf Hefetz and the Justice Ministry's Police Investigations Department to probe into what it described as the unjust use of force by Chief Supt. David Krauze against protesters during a peaceful rally on Jerusalem Day. According to ACRI, Chief Supt. Krauze had arrived on the scene and demanded that the 15 demonstrators disperse, claiming that their gathering was illegal. Joined by police reinforcements, he then violently shoved and pushed several protesters to the ground, tearing apart banners reading "East Jerusalem is occupied territory", without any provocation on the part of the demonstrators. (Jerusalem Post, 8 June)

310. On 8 June, contractors knocked down two sheep pens belonging to Bedouin outside the Maaleh Adumim settlement. The settlement's mayor stated that the incident was an error. The Jahalin Bedouin tribe, which is reportedly embroiled in a legal battle with Maaleh Adumim over land, claimed, however, that the act had been an intentional breach of a High Court injunction that temporarily barred the municipality from evicting the Bedouin. (Jerusalem Post, 9 June)

311. On 27 June, ACRI stated that the Civil Administration had begun to carry out a crackdown on illegal residents of the territories. Attorney Eliahu Abram, the head of ACRI activities in the territories, revealed that in the previous weeks there had been cases of soldiers entering Palestinian homes at night and ordering the family members who were there illegally to leave at once. According to Mr. Abram, the army also threatened to revoke work permits in case the family members in question failed to obey the order to leave. He indicated that the problem was especially acute since Israel approved annually only 1,200 applications for family reunification, while the waiting list was years long. Non-resident family members were not allowed to stay in the territories while their requests were being examined. (Jerusalem Post, 28 June)

312. On 21 July, it was reported that Palestinians from the Bethlehem area had stated that they had suffered repeated humiliation at the hands of the Civil Administration employees at the Registry Office in Hebron. In addition, they complained that owing to the workers' inefficiency and extreme slowness, they had had to return to the offices day after day - sometimes for a whole month or even more - in order to settle different matters such as the renewal of their identity papers or the registration of their children. (Ha'aretz, 21 July)

313. On 21 July, it was reported that Israeli soldiers had raided the house of an American citizen, Jihad Abu Farah, in Ramon, near Ramallah. Soldiers shot at the house for 20 minutes, entered it, hit and blindfolded the owner and beat his six-year-old son. (The Jerusalem Times, 21 July)

314. On 30 July, eight Arab residents and business owners from East Jerusalem filed a complaint with the police after their homes, vehicles and stores had been damaged by Jewish right-wing activists during a demonstration organized by the Forum for Jerusalem on 29 July. It was reported that during the demonstration, protesters threw stones at Arab pedestrians and parked cars and chanted slogans against the Government, the peace process and the Arabs. Two demonstrators were detained for questioning. (Ha'aretz, 30 July; Ha'aretz, Jerusalem Post, 31 July)

315. On 31 July, a tall barbed-wired fence was erected above the walls surrounding the Da'ar el Tefl girls' school in East Jerusalem, which is in front of Orient House - in addition to a heavy steel gate installed a week earlier. Near the gate, an inscription in red letters read "Death", while another inscription along the walls surrounding the school and the adjacent orphanage read "Arabs out". The school's headmaster stated that the girls were fearful and complained of being cursed and humiliated by right-wing activists who maintained a round-the-clock vigil at a protest tent encampment in front of Orient House. The headmaster added that teachers were also being provoked. Palestinian residents complained of damage to property, physical violence and verbal abuse. An 85-year-old Palestinian business owner indicated that he had never experienced such humiliation in his whole life. He stated that residents were being threatened and spat on by fanatics who identified themselves as the "Jewish Hamas". (Ha'aretz, 1 August)

(b) Collective punishment

(i) List of houses or rooms that were demolished or sealed

Oral evidence

316. Mr. Fouad Issa Abu Hamid, field researcher at B'tselem, the Israeli information centre for human rights in the occupied territories, provided the Special Committee with the following information concerning the demolition of houses:

> "Regarding the demolition of houses, from the end of 1993 until today, two to three houses have been demolished, whereas between 1987 and 1993, 191 houses were demolished in the Gaza Strip and 243 in the West Bank; that is a total of 434 houses demolished in the occupied territories. For the same period, 232 houses were closed in the West Bank and 82 in the Gaza Strip, amounting to 314 houses sealed. As I said, these figures pertain to the period ending 1993 and since then until today, there has been a significant reduction in the number of houses demolished or closed. However, there remains a problem, namely, that the 314 houses I made reference to, or - let us make an exception with the Gaza Strip because there is now a Palestinian Authority there - the 232 houses in the West Bank are still closed. They have not been opened yet despite the peace process, despite the fact that a number of people who had been in prison because of the sealing of some of these houses have been released now. B'tselem is requesting the reopening of these houses."
> (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

317. Mr. Fouad Issa Abu Hamid, field researcher at the B'tselem human rights organization, told the Special Committee about the risk of house demolition:

> "Any house which is built without permit is immediately demolished if the builder is an Arab. Building permits are very costly to obtain, much more than what would be affordable for the Arabs. I built an appartment next to my father's house to live in it. It cost me 12,000 dollars to get a permit." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

318. The researcher at the Palestine Human Rights Information Centre told the Special Committee about the hardships Palestinians face with regard to housing construction:

> "Some Palestinians have tried to build out of desperation. I'll give you one example: in the Wadi Qaddum, south-east of Jerusalem, someone constructed a house on a piece of land he owned, but he could not get a permit to build the house. So, the house was demolished consequently and now he lives in two truck containers and tents provided by the Red Cross. It is a family of more than 10 people living in a 30-square-metre area!"
> (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

319. Accounts of the demolition and/or sealing of houses may be found in documents A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid) and A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour).

Written information

320. On 4 April, Israeli bulldozers tore down the first house belonging to the Jahalin Bedouin following the rejection of their appeal by the Ramallah Military Court. The appellate committee decided to expel them at once, without specifying a site where they could be relocated. Seventeen Jahalin families had submitted the petition after being told to evacuate the area in August 1994. The site where they live is located near the Maaleh Adumim settlement. (The Jerusalem Times, 7 April)

321. On 7 April, it was reported that the destruction of the house of Mohammed Zuhdi Dkedek had been postponed for six months by a district court in Jerusalem. In an unusual ruling, the eight-member family living in one room in Bab Huttas, in the Old City, was granted the delay in order to apply for a building permit. (The Jerusalem Times, 7 April)

322. On 20 April, recent statistics showed that the West Jerusalem municipality had issued a far greater number of demolition orders concerning Arab-owned houses in East Jerusalem than the number of building permits in the same area. (Al-Tali'ah, 20 April)

323. On 30 May, the Israeli authorities demolished three houses belonging to Palestinians in East Jerusalem under the pretext that they did not have building permits. The houses belonged to Ayman Al Seweri in the Ras Ramound area, to Mahmud Khalil Shukeir, 48, and Ali Mohammed Hassan Abu Dweih, in the Jebel Al Mebker neighbourhood. (Al-Tali'ah, 8 June)

324. On 2 June, the IDF fired anti-tank missiles and a bulldozer subsequently razed to the ground a house in Hebron belonging to the Abu Eisla family where a wanted Hamas "terrorist" had been killed shortly before during a shoot-out with the Israeli security forces. The demolition was carried out while the body of the "terrorist" was still inside the house. At the same time, the IDF demolished another house in Halhoul, also searching for the same wanted Palestinian. The house, which belonged to two brothers, Mohammed and Hisham Ali Madya, was located next to the house of the martyr's father. IDF soldiers raided the house two weeks earlier, looking for wanted persons. (Jerusalem Post, 5 June; also referred to in Al-Tali'ah, 16 June)

325. On 3 June, a demonstration was held in the village of Issawiya to protest against demolition orders issued by the West Jerusalem municipality. The orders concerned 15 houses that had been built without permits. (Al-Tali'ah, 8 June)

326. On 13 June, the IDF demolished a house belonging to Mohammed Obeid in Issawiya, near Jerusalem, because it was built without a building permit. In early May, 49 homeowners in the areas of Issawiya, Jabal Al Mukabar and A Tur received demolition orders on the same grounds. (The Jerusalem Times, 16 June)

327. On 15 June, the Obeid family, whose house had been demolished by the Israeli forces in Issawiya, began rebuilding the house. (The Jerusalem Times, 22 June)

328. On 22 June, it was reported that several houses in the Jerusalem area were slated for demolition for lack of a building permit: 4 in Jebel Al Mukabar, 12 in Eizeriya, 8 in Bir Auna and 1 in Beit Hanina. (Al-Tali'ah, 22 June)

329. On 29 June, IDF bulldozers razed to the ground two houses in Hebron. Vineyards and some 100 trees were also destroyed on both sides of the road. The houses, owned by the families of Mohammed Abu Danhash and Othman Al Fallah, were demolished together with their entire contents immediately after a special Border Police "anti-terror" unit shot dead the wanted leader of a Hamas cell who was reportedly hiding inside the houses. According to The Jerusalem Times, no Palestinians were found in either house. Four Palestinian press photographers who were filming the demolition and the uprooting of the trees were beaten severely by a group of Israeli soldiers and officers. One of the photographers stated that five officers and two soldiers entered the house from which they were filming and started hitting, kicking and punching them without previously checking their identity or allowing them to speak. They reportedly trampled their faces with heavy boots, seized their cameras and tried to break them. Afterwards, soldiers took them to an army jeep where they detained them for about an hour, continuing to beat them. As a result of the battering, one of the photographers had to undergo treatment at a local hospital. (Ha'aretz, Jerusalem Post, 30 June; also referred to in The Jerusalem Times, 30 June)

330. On 21 July, it was reported that the Central District Court in Jerusalem had rejected the appeal filed by Mohammed Abed Rabbo against a demolition order concerning a building he had erected on his property in the Waljah-Beit Jala area. Abed Rabbo's attorney argued that the District Court had no authority to issue a verdict concerning the holder of a West Bank identity card with regard to a house located inside the West Bank. The Central Court then disclosed that the Waljah area had been annexed to Jerusalem 10 years ago. It appears that none of the area's inhabitants had been informed about this. (The Jerusalem Times, 21 July)

331. On 3 August, the engineer of the the West Jerusalem municipality, Uri Ban Asher, reportedly estimated the number of Arab houses that had been built in green areas and were therefore slated for demolition to be between 300 and 400. (Al-Tali'ah, 3 August)

(ii) Imposition of curfews, sealing off or closing of areas

Oral evidence

332. A witness who testified before the Special Committee described the most frequent form of collective punishment regarding the population of the Gaza Strip:

> "The people could work, they could have an income. After the Declaration of Principles, the situation worsened. Israel began closing the borders and encircling the Gaza Strip. It became difficult for the people to move around, to and from Israel, and for goods to enter Gaza.
>
> "The problem is that when there is an incident, when someone starts an operation individually or commits an act of violence, the Israelis then try

to punish the whole population collectively." (Mr. Khaled Abu-Rached, witness No. 4, A/AC.145/RT.667/Add.1)

333. The B'tselem field researcher stated the following regarding the closure of the occupied territories:

"This closure has been effective since the month of March 1993. After every incident, the closure is renewed or a new closure is put into effect. That is to say there is one closure after the other."
(Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

334. Mr. Awad Issa Mansour, researcher at the Palestine Human Rights Information Centre, described the closures of the occupied territories in the following terms:

"The purpose of the closure is a military tactic which the Israelis used in time of war, so that they could quell Palestinian resistance in general and increase the suffering of Palestinians collectively through bureaucratic means rather than by way of arms.

"This is the strategic and systematic purpose of the closure, namely to reduce the level of violence which requires hospitalization, but increase the overall suffering of the whole population in a way that cannot be shown explicitly.

"For example, undercover killings by the Israeli undercover units increased under the closure. So, one goes along with the other, when the Israeli authorities become more refined in what they target and then direct the violence there. So, the current situation of the closure does not mean that violence in the broad sense has decreased, it has increased. And it has broadened to 2.3 million Palestinians and not to a few who happen to be in a particular circumstance. Everybody complains about the closure and its effects, if you are in a taxi, if you are in a bus, if you are walking.

"This shows that 70 per cent of the Israeli closures, 29 out of 40 until 13 March, were enforced during the peace process between the Palestinians and the Israelis, indicating that the imposition of closures has been intensified with the peace process.

"Under the policy of closure have emerged new policies, such as separation, which redraws the Green Line well into the West Bank and therefore attempts to pre-empt the outcome of the peace process at hand, while keeping increasing Palestinian tension under control.

"Six times, the colours of the permits were changed over the two years. Also, when there are Israeli holidays and celebrations like the celebration of independence, there are closures and the borders, that is to say what the Israelis have as borders, are shut. So, even if you have a permit which was valid prior to that, and is valid in theory throughout the period, it is cancelled, or it is non-valid for the duration of that closure. Therefore, you are not only talking about the starting point of a closure two years ago, but about layer upon layer upon layer of closures

and their effects." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

335. Mr. Ibrahim Khamis Shehada, the fieldwork coordinator of the Gaza Centre for Rights and Law, spoke to the Special Committee about the losses incurred by merchants and factory owners in the Gaza Strip as a result of closures:

"For merchants and people who own factories, 90 per cent of the imports of the Gaza Strip come from Israel. As a result of the blockade, prices rose astronomically. I can give you one example of the price increase. Prices for construction material have gone up by 80 to 90 per cent. The daily losses of the Gaza Strip appear quite clearly in the booklet we have prepared and amount to 2 million dollars, daily." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

336. The Chairperson of the Association of Israeli-Palestinian Physicians for Human Rights described to the Special Committee the effects of curfews and closures for persons requiring mental health care:

"Most of the mental health is in East Jerusalem. So, with every curfew, with every seizure, even in a normal day (although none is really normal), it is very difficult for the people, because they have to go from one roadblock to the other and do not always get a permit. Talking about sick people, it is even harder." (Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

337. The testimony of a witness from Hebron shows how frequent curfews are in that town:

"Most people have taken some precautionary measures and they have got something to live on at home, because this is something which is average and usual for us. We know that curfews happen. And because of the very frequent curfews, most of the Palestinian families have taken precautions and have provided themselves." (Anonymous witness No. 1, A/AC.145/RT.667)

338. A lawyer from the Palestine Centre for Human Rights in Amman stated the following concerning the closure of the occupied territories and its effects on the peace process:

"Therefore, the Israeli policy of closure will lead to an increase of violence in these areas. Violence is the ultimate conclusion of such a policy of closure.

"We also came to the conclusion that the closure has led to the weakening of the peace process and to a decrease in the number of people supporting the peace process.

"Our Centre considers that the policy of closure is one of the most dangerous policies that Israel has followed. Personally, I feel that it is even more dangerous than the occupation policy per se, because this policy of closure will undoubtedly lead to the failure of the whole peace process, as the PLO and the Palestinian Authority, whose task it is to see that

security reigns under its jurisdiction, will not, under such a policy of closure, be able to control the security situation and give self-sufficiency and self-rule to the autonomous areas. This situation will generate violence and an explosion in the whole area."
(Mr. Imad Ali Al-Sharqawi, witness No. 16, A/AC.145/RT.672)

339. Testimonies relating to the imposition of curfews, sealing off or closing of areas may be found in documents A/AC.145/RT.667 (anonymous witness), A/AC.145/RT.667/Add.1 (Mr. Khaled Abu-Rached), A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour), A/AC.145/RT.672 (Mr. Imad Ali Al-Sharqawi) and A/AC.145/RT.675 (Mrs. Ruchama Marton).

Written information

340. On 12 April, it was reported that according to the committee set up by Police Minister Moshe Shahal in order to devise ways of achieving a separation between Israel and the territories, total and permanent closure was deemed the most effective method for significantly reducing the possibility of "terrorist" attacks. Mr. Shahal conceded, however, that while a total closure had proven effective, it was not viable because of political and economic constraints. Therefore, he revealed, the committee had devised what it believed to be the next best alternative - creating a "separation sphere" with a number of checkpoints, to be located several hundred metres east of the Green Line, to be manned by Border Policemen and monitored by a variety of electronic surveillance devices. Mr. Shahal also recommended the keeping of the number of permits issued to Palestinians in order to enter Israel at a minimum in the near future, since he believed this would facilitate the operation of the security forces. (Ha'aretz, Jerusalem Post, 12 April)

341. On 13 April, the Israeli authorities sealed off two roads leading to the Kfar Darom and Netzarim settlements following two suicide bombings in the Gaza Strip on the same day. (The Jerusalem Times, 14 April)

342. On 14 April, at 3 a.m., Hebron was placed under curfew until further notice for what the army called "security reasons". The curfew, barring all Palestinian residents of the city from leaving their homes, was imposed after three weeks of night curfew in the city (from 6 p.m. to 5 a.m) which followed the shooting at an Egged bus on 19 March in which two settlers were killed. The curfew was lifted on 15 April at 11 p.m., but was reimposed at 6 p.m. Mustafa Natshe, the Mayor of Hebron, stated that the curfew had not been imposed for security reasons but in order to make sure that the several hundred Jews who lived in Hebron could enjoy their Easter holidays and added that the Government of Israel had failed to understand that it could not punish a whole town just because of a few settler families. (Ha'aretz, Jerusalem Post, 16 April)

343. On 16 April, a full curfew was imposed on Hebron for fear of clashes between the Jewish and Arab populations of the town because of the killing of three Hamas activists by a Border Police undercover unit shortly before. (Ha'aretz, Jerusalem Post, 17 April)

344. On 18 April, thousands of Jews crowded the streets of Hebron, celebrating Passover to the sound of live band music, as Palestinians peered at the carnival scene from their windows unable to leave their homes because of a curfew imposed on the town since 14 April. Hebron Mayor Mustafa Natshe warned that the town's economy was on the brink of collapse and pointed out that even bakeries and pharmacies were not open. (Ha'aretz, Jerusalem Post, 19 April)

345. On 19 April, the IDF lifted the daytime curfew that had been imposed on Hebron and on the Hebron-Halhoul area. An IDF spokesman announced, however, that the night curfew would stay in force between 6 p.m. and 5.30 a.m. until further notice. (Jerusalem Post, 20 April)

346. On 21 April, the village of Paron in the Tulkarm area was placed under curfew following the throwing of three incendiary bottles, allegedly by some residents of the village, at an Israeli vehicle travelling nearby. (Ha'aretz, 23 April)

347. On 21 April, The Jerusalem Times gave an account of the different ways in which curfews were imposed on Palestinian towns by the Israeli authorities. In addition to day and night curfews, there were "preventive curfews" to suppress possible Palestinian reactions to events; "pre-emptive curfews" to thwart scheduled Palestinian actions such as public rallies; "search curfews", to facilitate raids on homes; "ad hoc curfews" of short duration, usually to permit a Jewish official or other leader to visit an area; and finally, "pacification curfews", which follow an attack on Palestinians, usually of long duration. (The Jerusalem Times, 21 April)

348. On 22 April, a curfew was imposed on the Kalandia refugee camp following the killing of a Palestinian youth from the camp by IDF soldiers. (Ha'aretz, 23 April)

349. On 23 April, it was reported that during the previous days the IDF had started gradually to lift the closure imposed on Hebron and Halhoul following the killing of three Hamas activists by the GSS and a Border Police undercover unit on 16 April. It was further reported that the IDF had also started gradually to lift the closure imposed on the territories on 13 April. (Ha'aretz, 23 April)

350. On 24 April, at 4 p.m., the closure imposed on the territories in the afternoon of 13 April was lifted, although it was reported that the general closure policy would continue. Residents of the territories with entry permits for Israel were allowed to cross the Green Line. This included some 27,000 workers, all of whom are married men older than 30, a small group of medical professionals, employees of international organizations, workers at foreign diplomatic missions and other Palestinians who were given permits for humanitarian reasons. (Ha'aretz, Jerusalem Post, 24 April)

351. On 1 May, at 3 a.m., a curfew was imposed on the casbah in Nablus following searches by the security forces for three members of the Fatah movement. The curfew was lifted several hours later, at 8.30 a.m. (Ha'aretz, 2 May)

352. On 2 May, the IDF imposed a complete closure on the territories, which remained in effect until 7 May in order to allow Israel to hold Independence Day celebrations. (Jerusalem Post, 1 May; Ha'aretz, 2, 7 and 8 May; also referred to in The Jerusalem Times, 5 May)

353. On 4 May, it was reported that Hebron has been under night curfew for 44 days, since the shooting at an Israeli vehicle transporting settlers. (Al-Tali'ah, 4 May)

354. On 4 May, the preparatory body for the Committee for the Defence of Hebron called for a peaceful sit-in to protest against the night curfew in the town and the so-called security closure. (Al-Tali'ah, 4 May)

355. On 7 May, the IDF lifted the night curfew imposed on the Hebron area and Halhoul. The curfew, which had kept residents confined to their homes between 7.30 p.m. and 5 a.m., had been in place since the terrorist attack in which two Israelis were killed and five others wounded took place at the Zehuhit junction on 19 March. (Ha'aretz, Jerusalem Post, 8 May; also referred to in The Jerusalem Times, 10 May)

356. On 10 May, it was reported that the IDF had declared as a closed military zone over 10,000 dunums of land (2,500 acres) located along the Green Line near Hebron. A Palestinian Authority official stated that the order, which bore no time-limit, was part of Israeli plans to "move" the Green Line. Civil Administration officials stated, however, that allegations of political motives behind the order were baseless, as the area had already been closed off in the past. (Jerusalem Post, 10 May)

357. On 2 June, the security authorities placed Hebron under curfew. The curfew was imposed after the killing of a wanted member of the Izz al-Din al-Qassam by the Israeli security forces and remained in force until the following day. (Ha'aretz, 5 June)

358. On 16 June, the IDF imposed a 24-hour curfew on the Hebron area following the stabbing of a Jewish settler by a Palestinian youth. (Ha'aretz, Jerusalem Post, 18 June)

359. On 25 June, the army lifted the curfew imposed on Arab villages in the Jordan Valley following an infiltration attempt by "terrorists" from Jordan a day earlier. (Ha'aretz, 26 June)

360. On 29 June, immediately after the killing of Taher Kafisha, the leader of a Hamas cell from Hebron, by the Israeli Border Police and an attack on two military targets in the town a strict curfew was imposed on Hebron, Halhoul and several villages for fear of disturbances. IDF troops and Border Police combed the area and arrested several residents suspected of collaborating with the "terrorist". (Ha'aretz, Jerusalem Post, 30 June; also referred to in The Jerusalem Times, 30 June)

361. On 1 July, a curfew was imposed on Jenin following a clash between IDF soldiers and dozens of Palestinians in the city. (Jerusalem Post, 2 July)

362. On 1 July, the city of Hebron was placed under curfew after the killing of a 15-year-old Palestinian by an Israeli soldier and a Jewish settler. (The Jerusalem Times, 7 July)

363. On 2 July, it was reported that the Military Governor of Hebron had notified the Mayor of Hebron that workers could unseal some of the roads blocked by the IDF a year earlier, in the wake of an attack attributed to a "terrorist" who was killed on 29 June by the Israeli Border Police. (Jerusalem Post, 2 July)

364. On 24 July, a closure was imposed on the territories immediately after a suicide bus bombing attack in Ramat Gan, near Tel Aviv, in which six Israelis were killed and 32 others wounded. (Jerusalem Post, 25 July)

365. On 30 July, the security authorities lifted the closure imposed on the territories on 24 July. Married men over 30 with a work permit and with no convictions for security-related offences were allowed to cross into Israel. (Ha'aretz, 30 July)

366. On 28 July, the IDF declared the Palestinian village of El-Khader (West Bank) a closed military area after Gush Shalom activists joined village residents in a demonstration at a nearby site where settlers from the Efrat settlement had begun to establish a new neighbourhood. The order, issued by OC Central Command, expired in the evening of the following day. (Ha'aretz, Jerusalem Post, 30 July)

367. On 9 August, the IDF announced that it would close the Gaza Strip until the morning of 11 August for "security reasons". Israeli security sources indicated that the closure might be due to fears of armed suicidal attacks by Palestinians opposed to the peace process in case an agreement over the West Bank was reached between Palestinian and Israeli negotiators. (The Jerusalem Times, 11 August)

368. On 11 August, the IDF imposed a total closure on the Gaza Strip for "security reasons". Senior IDF sources stated that the decision was prompted by warnings of possible attacks by persons in Israel from the Gaza Strip. On 16 August, the IDF extended the closure until 18 August but stated that it was likely to be prolonged further. (Ha'aretz, 10 and 17 August; Jerusalem Post, 10, 13 and 17 August)

369. On 12 August, Arab villages in the Jordan Valley were placed under curfew as IDF troops searched for an infiltrator who had reportedly entered the territories from Jordan. The curfew was lifted the same evening. (Jerusalem Post, 13 August)

370. On 18 August, it was reported that the closure of the Gaza Strip had been extended for the fifth time in a single week. (The Jerusalem Times, 17 August)

(iii) Other forms of collective punishment

371. No information available.

(c) Expulsions

Oral evidence

372. Mr. Fouad Issa Abu Hamid, field researcher at B'tselem, spoke to the Special Committee about the problem of family reunion and the risk of expulsion it entailed:

> "The most serious problem Palestinians are suffering from today with regard to the Civil Administration concerns family reunion. As you know, many Palestinians live in Jordan and in other Arab countries. Of course, Palestinians from the West Bank can get married to their relatives in Jordan and vice versa. But the problem lies in the fact of whether permission is given or not to the partner in the marriage coming from outside the West Bank to remain with the spouse in the West Bank.
>
> "On this question, information was sent by the Minister of Defence, Mr. Rabin, to some members of the Knesset. In the West Bank in 1993, 1,200 requests were accepted. In 1994, 1,184 requests were accepted. So, a total of 2,384 requests in two years were accepted, whereas the problem concerns thousands of people. The number of requests accepted, that is the number of spouses allowed to stay with their partner is very low in comparison with the number of marriages contracted. A large number of wives live in the West Bank without having the necessary permit for residence there and they are constantly threatened with expulsion. The Civil Administration puts pressure on the families of these people in order to force them to leave the West Bank." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

373. Testimonies referring to expulsions may be found in document A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid).

Written information

374. On 6 April, it was reported that over the previous months a number of military committees on the return of Palestinians expelled by the security forces during and before the intifadah had been examining requests by deportees wishing to return to their homes in the West Bank. A senior army officer stated that over the past year an average of one request had been examined every week. Fifteen requests were said to have been approved in recent weeks. (Ha'aretz, 6 April)

375. On 6 June, the Israeli High Court denied the wife of Islamic Jihad leader Fathi Shukaki the right to reside in Jerusalem, her birthplace. Mrs. Shukaki returned to the occupied territories last October to visit relatives in Jerusalem and had her residency permit confiscated at the border. She had left Jerusalem for the Syrian Arab Republic in 1988, along with her three children, to join her husband who was deported there. (The Jerusalem Times, 9 June)

376. On 25 June, Fathia Shukaki, the wife of Islamic Jihad leader Dr. Fathi Shukaki, was expelled from Israel under an Interior Ministry order after her petition to reside in Jerusalem, her birth place, had been rejected.

Mrs. Shukaki, who used to live in Jerusalem, headed for Jordan with her three children and was expected to proceed to Damascus in order to join her husband. During a press conference held at Orient House in Jerusalem, Faisal Husseini stated that the decision to expel Mrs. Shukaki was part of Israel's policy of inflicting collective punishment on Palestinians and an infringement of their right to live in the City. (Ha'aretz, 26 June; also referred to in The Jerusalem Times, 30 June)

377. On 21 July, it was reported that the Israeli authorities had ordered the deportation of two Palestinian Americans, Jamal Nisr and Khalil Musleh, from Al-Bireh. The Israelis accused the two men of being members of the PFLP. (The Jerusalem Times, 21 July)

(d) Economic and social situation

Oral evidence

378. The Special Committee asked a witness whether they thought people in Gaza were happier than before:

> "Yes, without doubt they are happier, although materially they are very much deprived. Still, they are happier." (Anonymous witness No. 1, A/AC.145/RT.667)

379. However, when asked about the economic situation, the witness stated the following:

> "Yes, it is worse than before, because the economy has been completely contained. They live in a closed economic sphere." (Anonymous witness No. 1, A/AC.145/RT.667)

380. A witness described the economic and social situation in the Gaza Strip after the signing of the Declaration of Principles:

> "The situation is extremely difficult in Gaza. The reason is that Israel does not allow the Palestinian workers access to Israel, except in very limited numbers, and there are no employment opportunities in the Gaza Strip." (Anonymous witness No. 6, A/AC.145/RT.667)

381. A witness gave the following description of the economic situation in Gaza:

> "The economic situation in Gaza is only part of the total situation in Gaza, which is generally speaking in a state of deterioration. There is hardly any infrastructure for the Palestinian economy. As a main source of livelihood, the Palestinians rely on the income they can generate as labourers working inside Israel. So, when the borders are closed, unemployment becomes extremely high. It is then in such instances that you find a total collapse of prices for goods inside Gaza, because nothing moves out of Gaza and it has to be sold locally. Some of the Palestinian farmers rely on exporting their products to Israel. Also, some of them export the flowers they grow in Gaza to Europe through Israel. When there is a closure, what happens is that nothing moves out of Gaza and the prices

collapse. That is when the people who have got their projects and plants inside Gaza start suffering.

"With any incident, any explosion, every time there is some disagreement between us and the Israelis, the situation becomes more and more difficult. The Israelis have been utilizing that in an increasing manner in order to bring pressure to bear on the Palestinian labourers, so that they in turn would bring pressure to bear on the Palestinian Authority. As a result of the closures and the unemployment, Palestinians once attacked a police border post at Erez. A few months ago, a big massacre took place there." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

382. Mr. Fouad Issa Abu Hamid, field researcher at B'tselem, spoke to the Special Committee about the general impact of the closure on the economic situation in the occupied territories:

"I shall now speak about the closure of the occupied territories. In spite of the decrease in the level of violence in the occupied territories and despite the peace process, the Israeli authorities nevertheless continue to close areas for the Palestinians. This closure has very destructive effects on the Palestinian population. The reason is that Israel has always endeavoured to make the economy of the occupied territories closely dependent on the Israeli economy. In other words, the Palestinian economy in the occupied territories cannot exist without the basis it has with the Israeli economy. Closing the territories results in the destruction of the Palestinian community, the Palestinian society. This is reflected in the social life of the people, as well as in their cultural and political life." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

383. Mr. Abu Hamid provided the Special Committee with the following information concerning the employment of Palestinian workers:

"Before the closure, 50,000 workers from the Gaza Strip used to work in Israel. Now, there are 14,000 workers from Gaza. Of course, this number is not a stable one, because after every operation or every occasion in Israel, be it a feast or a holiday or an official visit, this number is reduced.

"From the West Bank, 120,000 workers used to work in Israel before the closure. Now this number has come down to only 12,000."
(Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

384. A witness from the Gaza Strip described to the members of the Special Committee the employment situation there:

"When the borders are closed, the workers cannot enter Israel to go to their work. Also, at the same time, food like rice and flour cannot enter the Gaza Strip and, for example, it happened that for four days people were without provisions.

"As a result of the closure of the borders, about three quarters of the people employed in Israel lost their jobs. You can see it when you walk around on the street. There are lots of people, lots of young people strolling around, doing nothing. If you visit families in their houses, you find a lot of young people one would otherwise suppose to be at work just sitting at home.

"About 50,000 to 60,000 people do not go to work and most of the young people between 16 and 30 are out of work.

"I saw in a programme on television that people from Romania and the Philippines have come over. They were shown working in the fields and in the farms where the Palestinians used to work before."
(Mr. Khaled Abu-Rached, witness No. 4, A/AC.145/RT.667/Add.1)

385. The fieldwork coordinator of the Gaza Centre for Rights and Law provided the following information concerning the economic and social situation in the occupied territories:

"I am going to also speak about labourers. In 1986, there were 85,000 Palestinian workers who worked for Israel. In 1994, this number came down to 22,000 Palestinian workers. Then, the number came down again to 1,700 workers, to increase later on to 13,800. All of this has been the result of the blockade imposed on the Gaza Strip." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

386. A witness from Gaza described the conditions in which some of the inhabitants of the occupied territories live:

"You know that these houses are not formal houses like in the cities, they are shacks and huts. They are modest houses. But, still, the people who live there are people who need their houses." (Mr. Hussein Al-Haddad, witness No. 5, A/AC.145/RT.667/Add.1)

387. A person from the West Bank provided the Special Committee with the following information concerning taxes:

"The taxes I have spoken of are related to the income of the individual and to the daily life of the individual. I know many people who had cars on which they paid taxes which were more than the price of the car itself. Even if they had sold the car, they would not have been able to pay the taxes the Israelis were asking for the car."
(Mr. Riad Radwan Ali Shehada, witness No. 18, A/AC.145/RT.673)

388. A staff member of the Land and Water Establishment for Studies and Legal Services described the detrimental effects of settlements for the health and the environment of the Palestinian population:

"I can give you an example. The settlement of Ariel utilizes the valley of Al-Matwi and the valley of Al-Shar in Salfit as exit for its sewage water. The settlements of Armanuel, Garnish Amron, Maaleh Shomron, Moji Not drain their sewage water in the Kana valley. The settlement of

Burgan utilizes the valley of Brukin and Kufur Ikik as drainage sink for their sewage and used waters. These settlements also throw away the refuse of their factories in those valleys. They dump onto Palestinian agricultural land industrial waste without treating it. Domestic waste is also dumped in certain areas without being treated.

"All of this results in damages to the health of people in general and to the environment." (Mr. Sami Abdel Rahman Mohsen Hashish, witness No. 17, A/AC.145/RT.673)

389. A witness who testified before the Special Committee spoke about what happens to medical patients from Gaza during periods of closure:

"During the periods when the borders are closed, many of the patients are exposed to dangers and their lives are threatened because of the interruption of medical treatment, especially people with cancer and tumors, those who receive chemotherapy or radiotherapy. As is well known, both chemotherapy and radiotherapy cannot be administered in a fragmented manner. It has to be a regular and continuous treatment for a certain span of time.

"Therefore, when the patient misses out on a course of chemotherapy or radiotherapy, that completely disrupts the protocol of treatment for the patient and the patient could relapse to his situation before treatment. Then, the whole treatment, the whole protocol of treatment has got to be repeated all over once again. That can also be dangerous for the patient and it costs us a great deal of money.

"During periods of closure, the Israeli authorities deny patients the right to passage, even to patients who are receiving treatment in Israeli hospitals or to cases of emergency.

"Closures take place periodically. Every time there is an incident, or an explosion, or an attack, then a closure follows. We have seen patients die in Gaza because they were not transferred to the right clinic or to the right hospital at the right time.

"Last February, there was a patient, a lady, who was suffering from acute renal failure. She was supposed to be transferred, but the Israeli authorities denied the permit and she died as a result of her renal failure. I do remember the name of this lady's husband, but I do not remember her name. However I have it at the office in Gaza." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

390. The Chairperson of the Association of Israeli-Palestinian Physicians for Human Rights stated the following with regard to the current medical situation in Gaza and Jericho:

"Also, with respect to more high-tech medical treatment, people were transferred to Israel more than they are now after the Cairo Agreement, because of budget problems. Take bone marrow transplants for example, there is no hope for a child to get one - which was possible before. Many

of the cancer treatments are stopped by now. Many open heart operations, specifically for children, are stopped now, and so on. So, the situation now is less good than it was before." (Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

391. Mr. Salah Haj Yehya, a fieldworker at the Association of Israeli-Palestinian Physicians for Human Rights, stated the following about the consequences of Israeli practices on the health situation in the occupied territories:

"After 27 years of occupation in the territories, Israel has not developed the health and medical care equipment and facilities of the territories, and it has even prevented from doing so those who would have wished to help in this field. They prevented individuals or associations from building hospitals, and so on. I can give you a concrete example. In Tulkarm, in the West Bank, where there has been only one governmental hospital during the occupation period for more than 150,000 citizens, the health situation has deteriorated. A charity committee gathered money from other Arab countries, as well as local donations, and started building a big hospital in order to improve the health conditions in the city and surrounding villages. But in the last period, the Israeli authorities prevented the completion of this important project. This is only one example of how Israel has neglected the health infrastructure, but also how it prevents others from improving it." (Mr. Salah Haj Yehya, witness No. 22, A/AC.145/RT.675)

392. Mr. Haj Yehya also told the Special Committee about more recent Israeli practices, which have taken place since the signing of the Oslo and Cairo Agreements:

"Four trucks transporting medication and coming from Bir Zeit, Ramallah and Jerusalem to the Gaza Strip, were held at the Erez border for four days by the soldiers of the Israeli occupation forces, without any reason. Every day, the soldiers were saying they would hand over the goods on this very day, but they kept postponing and delaying.

"After many efforts, we succeeded in getting these four trucks to enter the Gaza Strip.

"According to the Oslo and Cairo Agreements, vaccination should have been provided for the Gaza Strip and the West Bank for at least six months. But Israel did not keep its promise. When we addressed ourselves to the World Health Organization and they sent us vaccination, the Israeli authorities kept it for a long time before handing it over." (Mr. Salah Haj Yehya, witness No. 22, A/AC.145/RT.675)

393. One witness gave the Special Committee a detailed account of the health situation in the occupied territories since the establishment of the Palestinian National Authority and views about the action of the international community:

"It is extremely painful and regrettable that the international community has left the Palestinian people without any aid or assistance,

especially in the health sector, despite the many, many promises that were given to the Palestinian people that everything would be better and that help would be given as soon as the Peace Accord would be signed. Can you imagine that one million people live in the Gaza Strip with five government hospitals? And there is not one piece of scanning equipment in those five hospitals. There is no radiotherapy unit. There is no modern operating unit for urinary tract operations. All the x-ray equipment is old and obsolete. In the Shifa Hospital (which is the largest of those five government hospitals), the ultrasound equipment is also very old. The laboratory equipments are old, archaic even, and date back to 1967 or just after 1967. So much so that some hospitals have got to send samples for analysis - even simple samples for analysis - to Israel, for example when the analysis involves hormones or hepatitis markers. Not to mention the overcrowding in these hospitals. The number of beds available is not sufficient to serve the needs of the Palestinian population. There have been reports that assistance had arrived for the Palestinians in the Gaza Strip. But it only amounted to a few ambulances sent by the United States of America and a number of donations in the form of medical textbooks. It transpired later on that half of those books were political books and economic books! We have them at the Shifa Hospital."
(Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

394. Accounts of the economic and social situation prevailing in the occupied territories may be found in documents A/AC.145/RT.667 (anonymous witness), A/AC.145/RT.667/Add.1 (Dr. Omar Hassan Shehada), A/AC.145/RT.667/Add.1 (Mr. Khaled Abu-Rached), A/AC.145/RT.667/Add.1 (Mr. Hussein Al-Haddad), A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.673 (Mr. Sami Abdel Rahman Mohsen Hashish), A/AC.145/RT.673 (Mr. Riad Radwan Ali Shehada), A/AC.145/RT.675 (Mrs. Ruchama Marton) and A/AC.145/RT.675 (Mr. Salah Haj Yehya).

Written information

395. On 2 April, it was reported that direct taxes received by the Palestinian Authority in February had been reduced by more than 25 per cent as a result of the closure and the ensuing slow economic activity. The Palestinian Authority collected only NIS 7.5 million in February as opposed to NIS 11 million it received in January. At a meeting of representatives of donor agencies on 30 April, all the participants underlined that beyond the loss in direct taxes, considerable damage was being inflicted on the Palestinian economy. Projects sponsored by donor countries were said to be either implemented very slowly or to have come to a standstill. Furthermore, ministers in the Palestinian Authority voiced their concern about difficulties arising from the red tape involved in crossing into Israel. In this regard, the ministers were told that in the previous week, only 6 out of the 20 trucks issued with permits to leave for the port of Haifa had managed to arrive there on time because of prolonged security checks. (Ha'aretz, 2 April)

396. On 5 April, it was reported that representatives of merchants and manufacturers from the Gaza Strip were complaining about the difficulties and red tape involved in unloading merchandise by the "back-to-back" method, whereby cargoes were unloaded from Palestinian vehicles and loaded on to Israeli

vehicles at the Erez checkpoint. The procedure resulted in truck drivers having to wait between 6 and 10 hours in one-and-a-half kilometre-long queues in order for their goods to be checked and discharged at the Israeli-controlled area of the industrial zone located in the north of the Gaza Strip. (Ha'aretz, 5 April)

397. On 11 April, the Mayor of Gaza, Anoun Shawa, indicated that 600 tons of garbage accumulated daily in Gaza City as a result of the closure imposed by Israel. Shawa warned of the danger of plague and other diseases if Israel continued to prevent the incineration of garbage from Gaza. (The Jerusalem Times, 14 April)

398. On 13 April, according to an Israeli publication on economic affairs, taxes due by East Jerusalem Palestinian merchants amounted to over NIS 50 million. The West Jerusalem municipality tax department brought to court for unpaid taxes the cases of some 2,600 merchants from East Jerusalem. The municipality has issued sequestration orders against almost half of the merchants. Palestinian merchants in East Jerusalem have been facing an acute economic crisis owing to the Israeli closure of the West Bank and the Gaza Strip. (Al-Tali'ah, 13 April)

399. On 14 April, it was reported that the Israeli authorities would not renew the operating licences of quarry owners in Nablus. Many villagers in the area rely on revenue from quarry work for their livelihood. (The Jerusalem Times, 14 April)

400. On 19 April, it was reported that most of the public construction work in the Gaza Strip, including projects sponsored by donor countries, had been paralysed for several weeks owing to a shortage of cement and other construction material. Hundreds of workers employed on a daily basis under the schemes, one of the declared purposes of which was to create jobs, were unemployed and unpaid as a result. (Ha'aretz, 19 April)

401. On 20 April, it was reported that $30,000 to $50,000-worth of agricultural produce was leaving the Gaza Strip daily as opposed to the $500,000-worth of produce that had been exported prior to the imposition of the closure on the Strip and the enforcement of strict procedures at checkpoints after the discovery of an explosive-laden truck in Tel Sheva. Only 40 out of the 250 trucks that used to transport agricultural produce to Israel and the West Bank were allowed to leave the Gaza Strip, and had to be accompanied by Israeli security vehicles. Two-hour security checks were conducted after long hours or even several days of waiting on the road leading to the checkpoints. The Deputy Minister of Agriculture of the Palestinian Authority, Atta Abu Karesh, stated that 70 tons of agricultural produce had to be thrown away daily because of becoming spoilt during the long wait in the sun or in the rain, or because the trucks arrived after the departure of cargo ships. (Ha'aretz, 20 April)

402. On 21 April, Hatem Natsheh, the head of the Hebron Chamber of Commerce, estimated that curfews imposed on the town caused daily losses of $5 million. (The Jerusalem Times, 21 April)

403. On 25 April, it was reported that the textile industry in the Gaza Strip had incurred losses of some $20 million since the closure of the territories at the end of January. (Ha'aretz, 25 April)

404. On 1 May, Hebron Mayor Mustafa Natshe and a number of the town's notables complained about the town's problems to Environment Minister Yossi Sarid when he visited Hebron. Their grievances concerned the deeply disrupted economic and trade activities in the town; traffic disorders owing to the closure of certain roads for "security reasons"; harassment by settlers and soldiers; the night curfew; and the plummeting support for the peace process by residents. Those present complained that they failed to find arguments that could convince residents of the utility of the peace process and the benefits it could produce. (Ha'aretz, Jerusalem Post, 2 May)

405. On 1 May, the Palestinian Finance Minister, Mohammed Nashashibi, stated that the number of trucks allowed out of Gaza by the Israeli authorities would be doubled. (The Jerusalem Times, 5 May)

406. On 4 May, the Israeli authorities are reported to have destroyed the crops on four dunums of land (one acre) belonging to Palestinians in the Khan Younis area, in the Gaza Strip, on the pretext that the land was located in an area that falls under the Israeli authority according to the Cairo Agreement. The same Agreement allows for the free cultivation of land in such areas. In a separate development, it was reported that dozens of Palestinian farmers who owned land between Deir el-Balah and Rafah in the Gaza Strip had to uproot their crops because they could not transport them to the market. The Israeli authorities have lifted the siege imposed on individuals but all means of transportation were still prohibited from entering the area. (Al-Tali'ah, 4 May)

407. On 7 May, Economics Minister Avraham Shohat declared that Israel would invest up to $14.5 million in infrastructure work at the planned industrial zone in the Gaza Strip. (Ha'aretz, 8 May)

408. On 7 May, work permits were issued to an additional 3,000 Palestinian construction workers from Judea and Samaria (West Bank), thus bringing to 29,750 the total number of Palestinians allowed to work in Israel. The new permits were all issued to men over the age of 30. (Ha'aretz, Jerusalem Post, 8 May)

409. On 8 May, it was reported that Israel would transfer to the Palestinian Authority receipts from the value added tax amounting to NIS 65 million for the current year, as well as an additional NIS 40,000 as an advance for previous years. (Ha'aretz, 8 May)

410. On 10 May, it was reported that Israel would allow helicopters to land in Gaza and would increase the number of Palestinians allowed to enter Israel in order to work by 4,000. Israel was also reported to have proposed the transfer of $33 million in value added taxes levied from the West Bank and the Gaza Strip to the Palestinian National Authority. In a separate development, the chairman of the Gaza Chamber of Commerce, Mohammed Kudwa, estimated the daily losses incurred as a result of the continuing closure at $8 million. Kudwa indicated that the agricultural sector had suffered the most. (The Jerusalem Times, 10 May)

411. On 13 May, Economics Minister Avraham Shohat warned that the deteriorated economic conditions in the autonomous areas could jeopardize the peace process.

In an address to a socio-economic forum in Rehovot, Mr. Shohat cautioned that unless the current economic situation in the autonomous areas improved, there would not be any peace process. He added that the Palestinians would not be able to continue living under the present conditions where their standard of living was declining by tens of percentage points. (Ha'aretz, 13 May)

412. On 19 May, a growing water crisis was reported in the West Bank as the summer approached. The problem was compounded by the diversion of water to settlements in the area. (The Jerusalem Times, 19 May)

413. On 21 May, the Government paid NIS 650,000 to the Hebron municipality in compensation for the heavy losses suffered by the town's vegetable merchants owing to the closure of the town's wholesale market, which was imposed in the wake of the massacre at the Cave of the Patriarchs. In addition, Environment Minister Yossi Sarid and Police Minister Moshe Shahal pledged that Israel would invest hundreds of thousands of shekels in upgrading the town's electricity and water networks. They also promised to increase from 450 to 2,000 the quota of Muslims allowed into the Cave of the Patriarchs. (Ha'aretz, 22 May)

414. On 30 May, the United Nations Special Coordinator in the Occupied Territories, Mr. Terje Larsen, warned that if the social and economic experiment in Gaza failed, the peace process between Israel and the Palestinians would fail as well. In a speech at the Hebrew University in Jerusalem, Mr. Larsen stated that the gap between expectations and reality was constantly widening. He also noted that while close friendships had been formed between Israeli and Palestinian elites, there was no parallel movement in people-to-people relationships. (Jerusalem Post, 31 May)

415. On 22 June, it was reported that Prime Minister Yitzhak Rabin had rejected a suggestion that Israel provide NIS 700 million in assistance to Gaza as compensation for the negative economic impact of the closure. Mr. Rabin stated that Israel had provided assistance, but added that the rest of the world also had an obligation towards the Palestinians. He noted that donor countries had failed to cover even half of the Palestinian Authority's 1995 budget deficit. (Jerusalem Post, 22 June)

416. On 10 July, it was reported that according to a poll conducted by the Palestinian Centre for Public Opinion among 412 factory and workshop owners in the West Bank and the Gaza Strip, more than 70 per cent of them claimed that the closure imposed on the territories had an extremely negative impact on their factories. Ninety-two per cent of those interviewed stated that the closure damaged sales, while 76 per cent indicated that production costs had risen as a result of the closure. In addition, 40 per cent stated that they had been obliged to reduce their workforce over the past year. (Ha'aretz, 10 July)

417. On 10 and 11 July, it was reported that according to a survey commissioned by Jerusalem Mayor Ehud Olmert, East Jerusalem suffered from a severe lack of services and infrastructure. The report revealed the disparities between the needs and existing services in 14 major areas and gave recommendations on how to fill the gaps. Mr. Olmert stated that a large number of the areas in which improvement was required were beyond the financial means of the municipality and

that the Government needed to provide the additional funds, especially for the development of infrastructure. Listed below are some of the report's findings:

(a) Roads. East Jerusalem suffers from a persistent shortage of roads. Twenty-one kilometres of roads need to be built immediately in nine neighbourhoods;

(b) Construction. A substantial part of East Jerusalem lacks a master plan for construction, making it impossible to grant building permits in those areas. This has led to rampant illegal construction;

(c) Sewage and draining. Numerous areas lack an appropriate sewage system (with the exception of the Old City, where the system has been taken care of systematically) and residents are compelled to use drain pits. Some 150.8 kilometres of sewage pipes are needed in addition to the 150 kilometres of existing pipes;

(d) Sanitation. The garbage collection service is not operating in numerous areas for lack of access roads;

(e) Education. The infrastructure of existing buildings lags far behind construction norms. The condition of classrooms is very poor in comparison with that of classrooms in the western part of the City. In addition, there is a shortage of 345 classrooms;

(f) Social situation and young people. There is an insufficient number of community centres for the elderly and the young. In addition, East Jerusalem is affected by an acute drug problem and a high drop-out rate of pupils from the sixth to the ninth form;

(g) Welfare. There is no institutionalized care for mentally ill and retarded persons. There is also a shortage of professional staff specialized in the treatment of those categories of patients. In addition, there is a housing shortage and abject poverty affects thousands of families who subsist only on child benefits. (Ha'aretz, 10 July; Jerusalem Post, 11 July)

418. On 10 July, an in-house report by the Jerusalem municipality released to the public acknowledged that there was a tremendous difference in its approach to the Palestinian and Israeli populations of the City. The report stated that it would take some $83,350,000 to bridge the gap between the services offered in East Jerusalem and those available in West Jerusalem. The findings pointed to the pressure brought on Palestinian Jerusalemites in the residential building sector. The authors of the report added that no detailed structural plans were available concerning 50 per cent of the land in East Jerusalem, leaving most of the area without the most basic infrastructure. According to statistics provided in the report, there are some 750,000 people living in Jerusalem. This figure included some 410,000 Jews (71 per cent) and an estimated 160,000 Palestinians (28 per cent), who also pay municipal taxes. Of the Jewish population, roughly 165,000 live in East Jerusalem. (The Jerusalem Times, 14 July)

419. On 13 July, it was reported that according to a report by the Budget Department of the Ministry of Finance, Israel had transferred to the Palestinian Authority NIS 346.3 million in tax revenues since the establishment of the Authority a year earlier. (Ha'aretz, 13 July)

420. On 13 July, it was reported that 350 sewing workshops in the Gaza Strip, out of a total of some 1,500, had been closed over the past year owing to the significant losses sustained as a result of the closure and the restrictions imposed on the passage of goods into Israel. According to an estimate of a tailors' trade union, at least 5,000 sewing workshop employees had lost their jobs. The textile industry is reportedly the second largest economic sector in the Gaza Strip, following agriculture, in terms of its workforce and contribution to local income. (Ha'aretz, 13 July)

421. On 9 August, the Civil Administration in the West Bank confiscated equipment from Palestinian-owned quarries in the village of Fajar near Hebron because of what it claimed was illegal quarrying on state-owned land. The villagers claimed, however, that work had been carried out on privately owned land. They protested against the confiscation of large pieces of equipment during a raid by numerous soldiers and several helicopters. On 10 August, the villagers halted the work in 25 quarries and 160 stone mills, which virtually constitute their village's only source of income, in order to protest against the army operation. A protest rally was scheduled for the following day. (Ha'aretz, 11 August)

422. On 13 August, it was reported that the Palestinian Authority's revenues had fallen by 86 per cent during the previous two months in comparison with the preceding two months. According to the Palestinian Authority's Deputy Planning Minister, difficulties involving the collection of taxes and foreign donations had led to a deficit of approximately $136 million. (Ha'aretz, 13 August)

(e) Other developments

Written information

423. On 1 April, the Palestinian Authority issued its first diplomatic passport to Saeb Erekat, one of its senior officials. The passport bears the signature of the Chairman of the Palestinian Authority, Yasser Arafat, and is valid for three years. It indicates that Mr. Erekat is the "Minister of a local government". Mr. Erekat announced that Palestinians residing in the autonomous areas could henceforth apply for a passport at the Ministry of the Interior of the Palestinian Authority. (Ha'aretz, 2 April)

424. On 2 April, it was reported that the last series of qualification exams for rabbis had included two questions dealing with the issue of whether it was allowed to desecrate the Sabbath in order to save a person who was presumably an Arab. (Ha'aretz, 2 April)

425. On 26 April, the IDF raided the Fatah movement's office in Hebron, confiscated equipment and detained for questioning several youths who were in the office. According to the youths, allegations were made that the office was used as the headquarters of the Palestinian preventive security force. Soldiers

also detained for questioning a number of persons living in the same building and seized several cars parked in the street. (Ha'aretz, 27 April)

426. On 12 May, it was reported that eight Palestinian families living in the Silwan neighbourhood just outside the walls of the Old City in Jerusalem, were ordered last week to present property titles for their houses or be subjected to eviction. All of the houses in question were originally built by the first Yemenite Jewish Community in Silwan in the 1890s. The transfer from Jewish to Palestinian ownership took place in the 1930s when the Yemenite Jews who had built the houses fled rioting in the region. They then sold their homes to Palestinians. Some of the eight families presented their contracts on 14 May to the Israeli Office of the Custodian for Absentee Properties. (The Jerusalem Times, 19 May)

2. Measures affecting certain fundamental freedoms

(a) Freedom of movement

Oral evidence

427. The researcher of the Palestine Human Rights Information Centre described to the Special Committee the reasoning behind the permit system, which severely restricts freedom of movement:

> "The Israeli authorities have developed the pass permit system to become more particular, in the sense that after April of this year, everyone who wants to get a permit for vehicles has to sign a written document to the Israeli authorities stating that he will not transport in the car any Palestinian or any person without a permit from the West Bank, or otherwise he will be subjected to fines and punishment.
>
> "The point of the permit system and how it affects Palestinians in general in Jerusalem is that Palestinian existence in Jerusalem has been itemized into various components. One component is that it is individual: each individual has to have acceptance, has to be eligible to get a permit. Also, according to the Israeli authorities, there has to be a good reason to get a permit. A job is generally speaking not a good reason. It has to be a specialized job, a particular service. Also, one is limited to the time allocated on the permit. It is usually from 5 a.m. until 7 p.m. Beyond that time, the permit is not valid. The conditions are all stated on the permit. In case of any situation one would find oneself in that does not conform with the conditions stipulated on the permit, one is subject to punishment.
>
> "With regard to access to Jericho and Palestinian families, Palestinian families are allowed to go into Jericho if they come from the West Bank in general. But, for example, Palestinian families from the West Bank cannot go to the Gaza Strip, because they require a permit from the Israeli authorities to pass through the area, which is not connected. So, families who have family members in the Gaza Strip and are from the West

Bank cannot have access." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

428. The Special Committee was informed about the freedom of movement between the two areas under autonomy and the lack of reciprocity as concerns Israeli authorities:

"Also, the safe passage, that is the corridor between the Gaza Strip and Jericho, is not guaranteed. Until now, Palestinians from the Gaza Strip are not allowed to reach Jericho.

"Also, the Israeli authorities have entered the autonomous region 18 times in cases where they were in pursuit of somebody.
(Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

429. A witness from Gaza who testified before the Committee spoke about the limited access to the sea of its inhabitants:

"I would like to say also that access to the sea is difficult. The strip along the coast is under their control and in order to cross, we have to go to one of the crossing points. Sometimes, we are given the permission to cross, sometimes we are denied access."
(Mr. Hussein Al-Haddad, witness No. 5, A/AC.145/RT.667/Add.1)

430. A witness described how difficult movement was from one part of the occupied territories to another:

"It is very, very difficult for anybody to obtain a permit to go to Jerusalem. It is only in extreme cases, like when somebody is extremely ill and is going to be hospitalized in Jerusalem.

"It is extremely difficult for anybody to obtain a permit. Many people have been denied a permit, especially if they belong to the Islamic Jihad. (Anonymous witness No. 1, A/AC.145/RT.667)

431. The fieldwork coordinator of the Gaza Centre for Rights and Law provided additional information in this regard:

"It is not possible for any Palestinian to enter Jerusalem, except after being granted a permit. The procedure requires three to four days and most of the time in the end the requests are met by rejection. That amounts to saying that there is no place for the Palestinians in Jerusalem. That is part of the Israeli policy. I have given you an example already: throughout the month of Ramadan, not one Palestinian worshipper from the Gaza Strip, nor a single Christian citizen from the Gaza Strip were allowed access to either Jerusalem or Bethlehem.

"In the West Bank and in Jerusalem in particular, the Israeli authorities are trying to isolate the Palestinian population, be they the inhabitants of the West Bank or of the Gaza Strip."
(Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

432. Mr. Fouad Issa Abu Hamid, field researcher at B'tselem, spoke to the Special Committee about the hardships of the inhabitants of the occupied territories resulting from the restrictions on freedom of movement:

> "The main Palestinian organizations, such as the High Health Council, Orient House or others, have their headquarters in Jerusalem. In view of the fact that the Israelis consider Jerusalem part of Israel, Palestinian citizens cannot reach this City. Also, there are three or four major hospitals that treat Palestinians from the occupied territories. These are modern hospitals compared with the hospitals available in the occupied territories. Consequently, a large number of Palestinian people are transferred daily to these hospitals. Many Palestinians are imprisoned or fined because they enter Jerusalem illegally. They enter illegally simply because the Israeli authorities do not give the permits to enter. And, moreover, the Israeli authorities impose very tough conditions on people asking for a permit to visit Jerusalem. They have to be over 35 years of age, to be married, to have children and not to have any precedent in relation with the police (that is to say not to have ever been arrested). Therefore, a larger number of the Palestinian people are simply prevented from visiting Jerusalem - even if it were to pray at the Al-Aqsa Mosque, which is considered to be one of the most sacred sites in the City of Jerusalem and in the life of any Muslim.
>
> "Also, there is a number of educational institutions and a number of health institutions in the City of Jerusalem that are threatened with closure because of the security belt. In effect, a large number of doctors and nursing staff also come from the West Bank and the authorities do not allow them access and do not give them a permit."
> (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

433. The chairperson of a medical human rights organization informed the Special Committee about the negative consequences of restrictions imposed on the freedom of movement for medical personnel in the occupied territories:

> "We manage to get permits for the doctors and the paramedics, but it is a whole story. We can dial the telephone for days, for weeks. Then, a doctor gets a licence for himself, but he doesn't get a licence for his car. This is a big obstacle for a doctor, as he cannot move. Then, he gets a licence for up to seven o'clock in the evening. So, he must go to his work without a car well in advance in order to get there in time and if he has an emergency and must stay on, either he cannot stay or he takes the risk of being arrested." (Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

434. The fieldwork coordinator of the Gaza Centre for Rights and Law provided the Special Committee with detailed information about the consequences of the infringement of the freedom of education:

> "Regarding taxis and buses, of an original figure of 1,000 vehicles that used to enter Israel, as a result of the blockade, all buses have now been prohibited access to Israel and only 27 taxis have been allowed in.

"I can also tell you something about patients and medical cases. The hospitals in the Gaza Strip lack specialization, particularly concerning heart diseases and cancers, also ophthalmology and eye surgery. Every day, 50 to 60 medical cases are presented to the Israeli side and the Israelis approve 18 to 25 of these cases only.

"I could also tell you something about the closure of streets. The Israeli authorities have closed the Netzarim-Sheikh Edjlin road from 11 November 1994 until today. The Kfar Darom road was closed between 9 April and 12 April. Then, access on this road was allowed under certain conditions, namely, that the passengers of the bus or the car concerned would be more than two in number. The Karmi-Netzarim road was closed from 9 April until 12 May, when access on this road was allowed on condition that every Palestinian car be accompanied by an Israeli military car." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

435. A witness described to the Special Committee the difficulties concerning the freedom of movement of patients from the Gaza Strip during closures:

"Every time there used to be an incident, we used to get in touch with the Palestinian liaison official who got in touch with the Israeli liaison official. But the refusal was always on the ground of security concerns.

"They say that the borders are closed and therefore there is no transit allowed for any patient.

"We have tried to beg them. We have tried to reason with them. Orally, verbally. Especially for particularly critical cases of patients. But permits were systematically denied and we were always told that the closure and the security concerns come first." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

436. A witness from the Gaza Strip described the negative economic effects resulting from the mandatory "back-to-back" transport of goods from Gaza:

"The export of vegetables and fruit is very difficult. The fruit or vegetables are transported in Palestinian cars to the border in Erez and then the boxes have to be put in Israeli cars, because our vehicles cannot enter Israel. The prices are low. For instance, 13 kilos of cucumbers or tomatoes only cost two dollars, and in the farm one dollar." (Mr. Khaled Abu-Rached, witness No. 4, A/AC.145/RT.667/Add.1)

437. Testimonies referring to the restrictions on the right to freedom of movement may be found in documents A/AC.145/RT.667 (anonymous witness), A/AC.145/RT.667/Add.1 (Dr. Omar Hassan Shehada, Mr. Khaled Abu-Rached and Mr. Hussein Al-Haddad), A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour) and A/AC.145/RT.675 (Mrs. Ruchama Marton).

Written information

438. On 1 April, Prime Minister Yitzhak Rabin authorized the issuing of an additional 2,000 work permits for married Palestinians from the Gaza Strip and the West Bank aged 30 and over who worked in Israel prior to the imposition of the last closure following the Beit Lid attack. Half of the permits would be granted to workers from the Gaza Strip (500 to construction workers and 500 to industrial workers), and half to workers from the West Bank (900 to construction workers and 100 to industrial workers). The spokeswoman for the coordinator of the Government's activities in the territories stated that the number of Palestinians from the territories who held permits to work in Israel stood at 26,750. (Ha'aretz, 2 April)

439. On 3 April, Prime Minister Yitzhak Rabin disclosed that the number of trucks leaving Gaza to Israel had fallen from 370 to 100 a day since the police discovered a truck with explosives in Tel Sheva on 20 March. (Ha'aretz, Jerusalem Post, 4 April)

440. On 6 April, it was reported that the Israeli Military Command in Hebron had issued new regulations for ambulance drivers, forcing them to obtain a permit before they transported or treated a patient, regardless of the degree of emergency. A permit is also necessary for the transportation of a person accompanying the patient. (Al-Tali'ah, 6 April)

441. On 9 April, in the immediate aftermath of two suicide attacks in the Gaza Strip, Prime Minister Yitzhak Rabin ordered two major thoroughfares in the Strip closed to Palestinian vehicles. Thousands of Palestinian vehicles were said to be passing daily on the roads, as was the case with several dozens of Israeli vehicles. (Ha'aretz, 10 April)

442. On 11 April, the Tel Aviv district police apprehended 52 Palestinian workers who were staying in Israel illegally. The workers were questioned and most of them were expelled back to the territories. As part of the large-scale operation, aimed at heading off possible further "terrorist" attacks, numerous roadblocks were set up at the principal entrances to the Tel Aviv area. The police were checking vehicles with Palestinians, all of whom claimed to have come to Israel in search of work and to have no links to "terrorist" organizations. (Ha'aretz, 12 April)

443. On 11 April, the army eased the travel ban it had imposed on Arab vehicles travelling along the Kfar Darom road in Gaza. According to the new regulations, only Palestinian buses, taxis and vehicles carrying several passengers were allowed to travel on that road. Vehicles carrying male passengers only were not allowed to use the road. A road passing near the Netzarim settlement remained closed. (Ha'aretz, Jerusalem Post, 12 April)

444. On 14 April, it was reported that the Tel Aviv district police had conducted checks in more than 1,000 workplaces where Palestinians from the territories were employed and had arrested 919 Palestinians without permits to stay in Israel. (Ha'aretz, 14 April)

445. On 17 April, it was reported that a woman residing in Lod and married to a resident of Beit Hanoun in the Gaza Strip had been prevented from joining her husband and seven children in the Strip for 70 days. The woman, like numerous other people in a similar situation, complained that the police at the Erez checkpoint had failed to provide her with a clear indication as to who was in charge of issuing permits. The woman stated that she had been sent back and forth from the police to the army and subsequently to the Israeli liaison bureau (previously the Civil Administration), with each of them telling her that the other was in charge of the matter. The woman received a permit only after an Israeli lawyer intervened on her behalf. It was reported that the difficulties involved in crossing into the Gaza Strip stemmed from the fact that Israelis (both Jews and Arabs alike) had not been allowed to enter the autonomous area since 18 May 1994, the date of the transfer of power to the Palestinian Authority. (Ha'aretz, 17 April)

446. On 19 April, it was reported that only convoys of 10 or 15 trucks bound for the same destination would be allowed to leave the Gaza Strip for Israel or the West Bank while escorted by Israeli security vehicles. The trucks would go through three security checks - one at the Palestinian-controlled checkpoint and two at the one controlled by Israel. Palestinians expected that the new security arrangements would result in trucks having to wait for several hours, if not entire days, before they would be allowed to leave the Strip. According to additional new security arrangements, taxis returning from Israel at the end of the working day would not be allowed to enter the Strip but would have to be parked on the Israeli side. The drivers and the passengers would then have to cross to the Palestinian side and travel by taxis without entry permits to Israel. (Ha'aretz, 19 April)

447. On 8 May, some 100 Palestinians staged a demonstration at the Netzarim junction to protest against IDF roadblocks in the Gaza Strip. They claimed that the roadblocks prevented them from moving freely from one locality to another, especially when they wished to transport merchandise from Rafiah to Khan Younis. Palestinian eyewitnesses reported that the demonstrators started to throw stones following an attempt by soldiers to block several Palestinian vehicles that had tried to force their way through the army roadblock at the junction. Soldiers fired in the air to disperse the demonstrators. (Ha'aretz, 9 May)

448. From 10 to 12 May, Israel allowed its Arab residents to enter the Gaza Strip in order to pay visits to their friends and relatives during the Muslim Feast of the Sacrifice. Israeli residents were said to be banned from freely entering the autonomous areas under an order issued by OC Southern Command on 18 May 1994. Following the closure of the territories and the Beit Lid attack, Israel tightened its policy concerning the issuing of permits, which principally affected the residents of East Jerusalem who live or work in the Gaza Strip as well as female Israeli residents married to inhabitants of the Strip. (Ha'aretz, 10 May)

449. On 14 May, hundreds of Palestinians staged a demonstration in the Kfar Darom area to protest against the closure of a bypass road near Kfar Darom. Several soldiers reportedly pointed their guns at the Palestinians, allegedly for fear that they might injure them with stones and an axe they were carrying. Palestinian sources claimed that there were violent clashes between the IDF and

the Palestinians. The IDF spokesman, however, did not report any violent confrontations between the two sides. (Ha'aretz, 16 May)

450. On 16 May, the IDF broke up a disorderly outdoor rally at the Al-Najah University in Nablus that was held in solidarity with Palestinian prisoners. It also prevented out-of-town supporters from reaching the rally, including a bus full of wives, sisters and friends of prisoners from Jerusalem. Two persons were slightly wounded and eight others arrested during the demonstration. (Jerusalem Post, 17 May)

451. On 22 May, Yasser Abed Rabbo, the Palestinian Authority Minister of Culture, Arts and Information, was held by the Jerusalem police for more than an hour at the A-Ram checkpoint north of Jerusalem, allegedly in order to prevent him from attending a news conference in East Jerusalem on the expropriation of Arab-owned land in the City. The director of the Palestinian Information Office was delayed for two hours and was prevented from approaching the hotel where the conference was due to be held. The police and the Border Police also blocked roads leading to the hotel and prevented other Palestinians from the West Bank from entering Jerusalem. Abed Rabbo, who returned to Ramallah after refusing to enter Jerusalem with a police escort, expressed his indignation over the incident, stating that it was a blatant violation of the agreement signed between the PLO and Israel concerning the free passage of senior Palestinian officials. A police spokesman stated that Mr. Rabbo was detained because he did not coordinate his visit with the police 24 hours in advance. (Ha'aretz, Jerusalem Post, 23 May)

452. On 13 June, the military authorities banned Palestinians under the age of 30 from entering Israel without giving any prior notice. At least 3,000 Palestinians, most of whom received permits to work in Israel only weeks before, were believed to have been stopped at army roadblocks where their permits to enter Israel were torn. (Ha'aretz, 18 June)

453. On 15 June, several dozen Palestinian workers from Jenin, Nablus and Tulkarm staged a strike in the proximity of the border crossing near Jenin to protest against Israel's policy of issuing permits and the harsh penalties imposed on workers from the territories who were caught in Israel without entry or work papers. Ataf Sa'ad, the spokesman for Palestinian trade unions in Nablus, stated that the Israeli authorities were conducting extensive daily searches for Palestinians staying in Israel illegally. Those arrested were detained for 48 hours at the Abu Kabir detention facility and were ordered to pay fines ranging from NIS 350 to 450 through accelerated court proceedings. The spokesman indicated that the detention involved humiliation and that the fines had an extremely negative impact on the income of the workers' families. The spokesman stated that it was no secret that thousands of West Bank breadwinners worked in Israel illegally because their families would otherwise suffer from hunger. (Ha'aretz, 18 June)

454. On 19 June, Gazan workers together with Israeli and Palestinian employers staged a strike at the Erez industrial area to protest against a new IDF order that banned workers under the age of 23 from entering the industrial zone. The order, issued two days earlier with no prior notice, was said to affect some 45 per cent of the 1,800 Palestinian workers in Erez. (Ha'aretz, 20 June)

455. On 25 June, following a suicide bomb attack near Khan Younis, the army closed the Gush Katif road and several other major roads in the Gaza Strip to Palestinian vehicles. (Ha'aretz, Jerusalem Post, 26 June)

456. On 5 July, Palestinian poet Mahmoud Darwish was refused permission to return to Nazareth for ceremonies marking the one-year anniversary of the passing away of the former Mayor of Nazareth, Tewfik Ziyad. His request was rejected on the grounds that Darwish is opposed to the peace process. (The Jerusalem Times, 7 July)

457. On 10 July, a journalist from Gaza, Samir Hamtu, who returned to Israel after a short visit to Jordan, was arrested by the IDF at the King Hussein (Allenby) Bridge and taken to Ashkelon prison. The journalist, who left for Jordan in order to examine options for the medical treatment of his son, reportedly left Gaza with all the required exit permits. News of his arrest was given to the family by the Liaison Committee. A further inquiry by an Israeli lawyer revealed that he was detained in the Ashkelon prison. (Ha'aretz, 13 July)

458. On 26 July, the office of Mr. Yitzhak Rabin refused to grant permits to representatives of more than 40 Palestinian companies to attend an economic conference at the Hyatt Regency Hotel to which Jordanian, Egyptian and Israeli businessmen had been invited. (The Jerusalem Times, 28 July)

459. On 28 July, it was reported that the Israeli Civil Administration had continued to put pressure on Palestinian families in which one spouse came from a different country on a visitor's permit and remained in the territories after the permit had expired. The Civil Administration either does not issue them permits, or they confiscate their identity cards if and when they apply for permits for their spouses. Five families in the village of Kharabtha, near Ramallah, in which one spouse remained the territories were warned that they had to leave the country. (The Jerusalem Times, 28 July)

(b) Freedom of education

Oral evidence

460. Mr. Awad Issa Awad Mansour, researcher at the Palestine Human Rights Information Centre, described to the Special Committee the effects of closure on the education of the Palestinian population:

> "With regard to education in Jerusalem, for many schools in Jerusalem, a large percentage of their teachers come from the West Bank. So, once a military attack occurs against the Israelis and a new closure is imposed, what permits they had are no longer valid and they have to go through another period of a week, or several days at least, to first try to listen and hear when the Israeli authorities say that they will begin issuing new permits, to then actually go through the application procedure for the permit, which again may require another week or several days. Distinctions are made and pupils, for instance, are allowed to go to school. However, classes without teachers are not conducive to proper education."
> (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

461. The Special Committee received the following information concerning the freedom of education:

> "I can also give you some information on the situation of students. Of the 1,300 students from the Gaza Strip who study in the West Bank, only 600 have obtained permits. The remaining 700 students have simply lost the academic year." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

462. A witness described the difficulties encountered by university students in completing their education:

> "There are students who are following a four-year course in order to get their BSD. They are now 30 years of age and have not graduated yet, because of the delays!" (Anonymous witness, No. 12, A/AC.145/RT.671)

463. Testimonies on the restrictions to the right to freedom of education may be found in documents A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour) and A/AC.145/RT.671 (Anonymous witness).

Written information

464. On 19 June, the Israeli authorities detained nine Palestinian youths in the town of Turkumaya, in the Hebron area. Among them were five students in their final year of school who were thus prevented from sitting for their examinations. (Al-Tali'ah, 22 June)

465. On 25 June, the mayor of Jerusalem, Ehud Olmert, ordered the cancellation of end-of-the-year parties at an Arab elementary school in East Jerusalem. Mr. Olmert reportedly took the measure after being notified that the board of the school, which is located in the Issawiya village, had coordinated the organization of the parties with Faisal Husseini and that Orient House had announced that the parties would be held under Husseini's patronage. (Ha'aretz, 26 June)

466. On 12 July, it was reported that the Civil Administration had decided not to allow any new Palestinian students from the West Bank to study at higher education institutions in East Jerusalem. The Jerusalem Times reported that the decision was made in order to prevent residents of the West Bank from acquiring permits to enter Jerusalem under the pretext of studying. It has been reported that 70 per cent of the students of Al Quds University would be affected by the measure. According to the decision, academic studies would not be a sufficient reason for receiving a permit to enter East Jerusalem from the West Bank. An exception would be made only for students who were already enrolled in academic institutions in East Jerusalem and wished to complete their studies there. Other West Bank residents who would want to enrol from now on would not be granted permits. The spokeswoman for the Government's coordinator of activities in the territories explained that the decision had been reached because students constituted a problematic section of the population known for its involvement in nationalistic activities. According to The Jerusalem Times, the spokesman stated that students who are known for their political affiliation will not be

issued permits. No permits whatsoever will be issued to students from Gaza. (Ha'aretz, 12 July; also referred to in The Jerusalem Times, 14 July)

467. On 6 August, it was reported that Israel had informed the Palestinian Authority that some 400 students from the Gaza Strip would be allowed to leave Gaza in order to attend the summer semester at universities in the West Bank. On 9 August, one month after the beginning of the summer term, students started receiving their exit permits. However, they were prevented from leaving the Gaza Strip because of the closure imposed on the territories on 10 August. They were expected to lose additional days of study because their exit permits were valid for only three days. Many students stated that they had already given up on attending classes during the summer term, which ends on 27 August at most West Bank universities. It is estimated that some 1,300 Gazans enrol at universities and higher education institutions in the West Bank every year. Owing to attacks and the closure policy, Prime Minister Yitzhak Rabin set at the beginning of 1995 a maximum quota of students from Gaza allowed to study in the West Bank. Although the quota had been increased gradually to approximately 750, fewer students were issued permits since a number of applications were always rejected for security reasons. A large number of students reportedly missed at least one semester in owing to the procrastination of the Israeli authorities in issuing permits and the quota system. Furthermore, a report published by the Department of Human Rights of Bir Zeit University claimed that on 12 June, several days prior to the beginning of the annual exam session, Israel invalidated all residence permits it had issued to students from the Gaza Strip. As a result, students were faced with the choice of either remaining in the West Bank illegally and risking imprisonment, or losing the whole semester and in some cases the whole academic year. (Ha'aretz, 6 and 11 August)

(c) Freedom of religion

Oral evidence

468. The fieldwork coordinator of the Gaza Centre for Rights and Law informed the Special Committee about the freedom of worship of persons living in the Gaza Strip:

> "Regarding now the question of freedom of worship and family visits, I can give you the following example: during the holy month of Ramadan and the Christian feasts (I might add that there are 5,000 to 7,000 Christians living in the Gaza Strip), the Israeli authorities did not allow any worshipper to enter Jerusalem or the West Bank. Those who travel outside the Gaza Strip have to walk for a distance of four kilometres in order to reach the Erez crossing point." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

469. A witness who testified before the Special Committee described the specific significance of Jerusalem regarding the freedom of religion:

> "Jerusalem is an extremely sensitive question. For every Palestinian, Muslim or Christian, Jerusalem is very important and I can say that the cornerstone of the peace process should be Jerusalem. Israel's attempts to judaize the City of Jerusalem could be the absolute threat that would blow

out of existence the peace process. For us, as Muslims and as Christians, Jerusalem is something connected with religion. Therefore, it is something sacred for the whole of the Islamic world, as well as for the Christians. The prophet has told us that the most sacred of places for the Muslims are the Kaaba in Mecca, where the prophet is buried, and the Mosque in Jerusalem. Therefore, all attempts on the part of Israel to judaize Jerusalem are going to constitute an extremely serious threat to the peace process. This is the sentiment not only of the educated people, but also of the man in the street in Jerusalem, or the man in the street in Palestine. The fact that Israel is considering confiscating these 130 or so hectares of land in Jerusalem has given us to understand that Israel is not serious about the peace process. Therefore, we have also come to understand that peace for Israel is not a strategic decision or a strategic choice, it is a tactical one. It is very dangerous to play around with sacred objects of religion. Can you imagine if somebody would take over the Vatican? What would Christians feel all over the world? What would the people feel? Or any other church. It doesn't matter where the sacred places are, as long as it is sacred to the adherents of that one religion." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

470. Mr. Awad Issa Awad Mansour, researcher at the Palestine Human Rights Information Centre, provided the Special Committee with the following description of the freedom of worship:

"With regard to worship in Jerusalem: on several occasions on Fridays (the usual day of worship when the Palestinian Muslims come to worship in Jerusalem, and particularly during the fasting period of Ramadan, during which each Friday is sacred, and therefore part of the ritual is to try to pray in Jerusalem), I have seen buses come to the Ras Al-Amud checkpoint, south-east of Jerusalem on the main road from Eizariya to Jerusalem, be turned back and the people turned back as well, while trying to come to Jerusalem for prayer. The Israelis boast about large numbers of people able to come on those particular days, but the people who are able to reach the Temple Mount are those from inside the Green Line, Palestinians from Galilee. When they get there, they are checked and, on coming out, they take their ID card at the police checkpoint, at the gate to the compound. But this is not to mention all the foot patrols, the Israeli border guard patrols and the units that surround and question all Palestinians who are in the streets. So, worship in Jerusalem for Muslim Palestinians from the occupied territories is a pilgrimage through Israeli border crossings and permit systems. And what is insulting is that, in order to pray and to practise this right, one has to go to the Israeli military officer of the Civil Administration of one's locality, to get the permission to worship God in Jerusalem. This does not make sense. When it becomes part of a practice that the practice of worship is subject to acceptance and permission from the Israeli military authority, the outcome is that even practising your religious right necessitates a confrontation, together with the risk of being fined, detained or shot at, at instances. Twenty to twenty-one Palestinians have been shot at roadblocks since the closure." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

471. A witness from Nablus informed the Special Committee about the behaviour of settlers in the Saidna Youssef Mosque:

> "There is in Nablus the Mosque of Saidna Youssef. Very close to it, about 200 metres away, there is a religious school for the settlers and military barracks for their protection. Around this area, there are four primary and secondary schools, very close to the Mosque as well. It is, as I said, a very densely inhabited area.
>
> "Though the settlers pretend that this is a religious school and that they come to it in order to read the Torah, they carry out repeated attacks, daily attacks practically, against the population.
>
> "I'll give you an example. On the way to the school, the settlers went to the Mosque, they broke the windows of the Mosque, they tread with their feet on the Koran in the Mosque, they walked out of the Mosque. About 100 metres away, they came across a cow that belonged to a civilian who lives from the produce of this cow. They killed the cow. I am responsible for every word that I am telling you. This cow was owned by a man called Ibrahim." (Mr. Abel Fattah Mohammad Fayyad, witness No. 15, A/AC.145/RT.671/Add.1)

472. Testimonies on the restrictions to the right to freedom of religion may be found in documents A/AC.145/RT.667/Add.1 (Dr. Omar Hassan Shehada), A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour) and A/AC.145/RT.671/Add.1 (Mr. Abel Fattah Mohammad Fayyad).

Written information

473. On 13 April, the closure of the West Bank and the Gaza Strip during the Jewish holiday of Passover made it impossible for Palestinian Christians from the territories to attend Easter services in the Holy City. (The Jerusalem Times, 21 April)

474. On 18 May, an Israeli soldier, Haniel Korin, attacked the Church of Gethsemane in East Jerusalem. During the incident, Korin set fire to the organ and poured kerosene over a priest during a mass. The priest was not injured. In a related development, unknown assailants stole the statue of Christ from the Convent of the Italian Sisters (Bethphage) in Bethany on 19 May. (Al-Tali'ah, 25 May; The Jerusalem Times, 26 May)

475. On 23 and 24 May, a group of Jewish extremists led by Shaul Guttman and another group led by Gershon Salomon tried to enter the Al Aqsa Mosque. (The Jerusalem Times, 26 May)

476. On 26 May, it was reported that the Israeli Civil Administration had agreed to increase the number of Muslim worshippers at the Ibrahimi Mosque from 450 to 2,000. In a separate development, a group headed by former underground member Yehuda Etzion reportedly announced plans to have a massive confrontation with the police at the Al Aqsa Mosque compound. (The Jerusalem Times, 26 May)

477. On 28 May, a number of members of Jewish Zionist movements tried to enter the Al Aqsa Mosque in order to pray in commemoration of the so-called unification of the City of Jerusalem. (The Jerusalem Times, 2 June)

478. On 5 June, the Head of the Islamic Waqf, Adnan Husseini, announced that the Waqf had demanded control over 10 mosques located in West Jerusalem that had been abandoned since 1948. He added that the mosques should be reopened and Muslims be permitted to pray in them. Despite Israeli claims that the Jerusalem municipality, in cooperation with the Religious Affairs Ministry, was preserving all holy sites, a number of other mosques had been transformed into restaurants, museums, theatres, art galleries and bars. (The Jerusalem Times, 9 June)

479. On 11 June, IDF troops presented the officials of a mosque in Hebron with an order providing for the closure of their mosque for six months. A similar closure order (for three months according to the Jerusalem Post, for six months according to Ha'aretz) was delivered to the officials of a mosque near Nablus on 9 June. Security sources indicated that the orders were issued after inflammatory material had been discovered in the mosques. (Ha'aretz, 12 June; Jerusalem Post, 13 June)

480. On 23 June, it was reported that OC Central Command had issued a four-month closure order, to end on 20 October, concerning the Manra Mosque in Hebron. The order was reportedly issued after inflammatory material of the Hamas and the Islamic Jihad movements was discovered in the mosque. (Ha'aretz, 23 June)

481. On 10 July, the Higher Islamic Council held an emergency session to discuss the disfigurement of the Bab Al Rahma cemetery in Jerusalem. The move came after Israeli bulldozers began levelling the land for future construction near the Al Aqsa Mosque. (The Jerusalem Times, 14 July)

482. On 26 July, it was reported that Police Minister Moshe Shahal had stated that security arrangments for the Ibrahimi Mosque would remain unchanged and confirmed that the Government was considering paving a new road to Rachel's Tomb near Bethlehem so it would remain under Israeli control. Shahal added that the Israeli army would control the internal security of Yusef's Tomb near Nablus, while the road leading to the site would be under joint Israeli and Palestinian control. (The Jerusalem Times, 28 July)

483. On 6 August, it was reported that Israel had informed the Palestinian Authority that some 400 students from the Gaza Strip would be allowed to leave Gaza in order to attend the summer semester at universities in the West Bank. On 9 August, one month after the beginning of the summer term, students started receiving their exit permits. However, they were prevented from leaving the Gaza Strip because of the closure imposed on the territories on 10 August. They were expected to lose additional days of study because their exit permits were valid for only three days. Many students stated that they had already given up on attending classes during the summer term, which ends on 27 August at most West Bank universities. It is estimated that some 1,300 Gazans enrol at universities and higher education institutions in the West Bank every year. Owing to attacks and the closure policy, Prime Minister Yitzhak Rabin set at the beginning of 1995 a maximum quota of students from Gaza allowed to study in the West Bank. Although the quota had been increased gradually to approximately

750, fewer students were issued permits since a number of applications were always rejected for security reasons. A large number of students reportedly missed at least one semester in 1995 owing to the procrastination of the Israeli authorities in issuing permits and the quota system. Furthermore, a report published by the Department of Human Rights of Bir Zeit University claimed that on 12 June, several days prior to the beginning of the annual exam session, Israel invalidated all residence permits it had issued to students from the Gaza Strip. As a result, students were faced with the choice of either remaining in the West Bank illegally and risking imprisonment, or losing the whole semester and in some cases the whole academic year. (Ha'aretz, 6 and 11 August)

(d) Freedom of expression

Oral evidence

484. The Special Committee received the following information concerning the freedom of expression:

> "They say 'write what you will'. But it doesn't matter what anybody writes, it doesn't matter how anybody complains, Israel continues with its policy. But yes, there is no harassment whatsoever regarding newspapers, magazines and even radio and television. You could write and publish anything you like. There is freedom in this respect." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

485. Testimony on the restrictions to the right to freedom of expression may be found in document A/AC.145/RT.668. (Mr. Ibrahim Khamis Shehada)

Written information

486. On 8 May, the IDF closed the Nablus Press Agency for six months. The closure order, signed by the OC for Judea and Samaria, stated that the measure was necessary in order to ensure orderly rule, public order and the safety of IDF troops. The order stated that the decision to close the Agency had been taken because it held a large quantity of inflammatory materials that linked it to the Hamas movement. The Agency's director, the journalist Abed Kusseini, strongly denied the allegations, saying that the Agency kept the manifestos of every Palestinian organization for documentary purposes. (Ha'aretz, 10 May)

487. On 26 May, OC Central Command, Maj.-Gen. Ilan Biran, issued an order prohibiting the holding of a Fatah-organized demonstration aimed at protesting against the Government's policy on Jerusalem. The demonstration was due to take place at the north-eastern entrance to Jerusalem on 27 May. (Ha'aretz, 28 May)

488. On 9 August, it was reported that the Association for Civil Rights in Israel (ACRI) had appealed to the Chief Censor of the Defence Ministry, demanding that he immediately put an end to the practice of reading the correspondence of Israeli Arabs, of the residents of the autonomous areas and the West Bank, of human rights activists and of extreme left-wing activists. The appeal by the Association followed a report published in Ha'aretz which revealed that the post and telegraph censorship systematically read the correspondence of Palestinians and extreme left-wing activists and on the basis

of their contents submitted to the Prime Minister's office and the Ministry of Foreign Affairs periodic reports assessing the mood and opinions prevailing among those population groups. (Ha'aretz, 9 August)

3. Information on settlers' activities affecting the civilian population

Oral evidence

489. Mr. Imad Ali Al-Sharqawi, a lawyer from the Palestine Centre for Human Rights, described to the Special Committee the relationship between Palestinians and settlers:

> "The relationship is one of animosity and aggressivity. There is somebody who violates and somebody who is victim of violations, somebody who occupies land and somebody who has a right to this land. Therefore, there is no possibility of friendship in the relationship. It is psychological and cannot be put down to figures, philosophy or logic." (Mr. Imad Ali Al-Sharqawi, witness No. 16, A/AC.145/RT.672)

490. The members of the Special Committee asked a witness from Hebron to describe the relations between the Palestinian inhabitants and settlers, in particular after the massacre at the Ibrahimi Mosque on 25 February 1994:

> "Animosity most of the time. But they are also isolated from us, because there is a fence shielding them from the rest of the area and nobody has access to their residential area and they don't come out.
>
> "Since the incident, there has been a separation between the two communities. There are special times set aside for them and special times set aside for us to access the Mosque. They have got an entrance that they use and we have got another entrance that we use." (Anonymous witness No. 1, A/AC.145/RT.667)

491. The same witness from Hebron elaborated further on settler harassment:

> "About two and a half months ago, at the end of the feast, of Id al-Fitr, the Muslims had organized in order to perform the feast prayer and they were attacked by the Israeli settlers. The settlers were provoking them, looking for a fight as a matter of fact. But there was no armed attack. It was just a provocation on the part of the Israelis towards the Muslims preparing for the prayer of the feast. It did not reach the state of actual engagement. But it was a provocation on the part of the Israelis. But this is something that is part of daily life. It is not an incident in itself, it is a continuing state." (Anonymous witness No. 1, A/AC.145/RT.667)

492. An elderly person from Hebron described how his brother had been killed by settlers and what damage he had sustained in his shop:

"My brother was 75 years old. He has left us and the house, because one of the Israeli settlers hit him on the head with a piece of iron and opened his head, and the brains popped out. He died as a result. This is the first incident.

"I have a little shop. Some Israeli settlers live above it. They started making holes in the ceiling and poured water into the shop, until the goods were spoilt. I was selling cloth. They spoilt the entire stock. They also entered the shop. The cloth was hanging and they tore it all.

"One of the things that the Israelis do, as a further humiliation, is that they let the Israeli women insult people, people like me. When I pass by, one would spit at me and she would insult me. I am old and respectable. This is a very deep humiliation.

"The United Nations should come to Hebron to see what is taking place over there. We want the United Nations to come and see."
(Mr. Mortada Moussalam Abu-Aiche, witness No. 13, A/AC.145/RT.671)

493. The researcher of the Palestine Human Rights Information Centre told the Special Committee about the attacks of settlers against the Palestinian population in Hebron:

"We talked to a shopkeeper who had been attacked by settlers, not he himself only, but also his wife, his mother and his niece. We also talked to one of his neighbours, who, like him, had been beaten by settlers. This man happened to be passing by and was able to recount his story and to show part of his injuries. He was injured in the back of his head and two of his teeth fell as a result of the injury. He had the teeth in his pocket and showed them to us. There were two other people who showed scars from being bitten by dogs the settlers use. They showed marks just behind the knee cap of the left leg. One had been bitten three days before and the other one a couple of weeks ago. One of the people who told us their story said that the dog was allowed to finish the biting, to get the grip and then, once finished, the settler pulled back the dog, indicating by that that the dog belonged to a settler who was in the vicinity there."
(Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

494. Even Palestinian children are not spared from attacks:

"I mentioned earlier that there was a girls' school. We happened to be there on our way back when some of the girls were just leaving school. One of the pupils who came out told us her story - just basic information. She is seven years old. She was pushed by a settler child and consequently suffered a cut below the lower lip that required stitches and her hospitalization. Her mother tried to intervene, but also sustained some sort of injury in the back of her leg, as a row occurred between her and the settlers. There was another child, a boy of about eight years, who showed a mark on the left side of his eye. It had healed, but it was a scar from a stone that had been thrown by a settler."
(Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

495. On the other hand, Mr. Mansour described to the Special Committee the behaviour of Israeli soldiers:

> "At one point, one soldier saluted the settler, indicating that the soldiers are there to protect the settlers from Palestinians. This seems to be a policy in spite of the Hebron massacre and its consequences.
>
> "The person whose teeth fell out filed a complaint. When he went to the Israeli military officer in charge, he was told that 'the Arabs in this area should leave, because this is a Jewish area'."
> (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

496. A witness from Hebron told the members of the Special Committee about the situation in that town as a result of the presence of settlers:

> "There is no sense of security at all in the area, because of the activities of the Israeli settlers, more so than the army. Curfews have become increasingly imposed. The settlers' activities have become worse, because now they have started attacking people in their shops, attacking the locals in their shops, attacking them in their homes. And the army provide protection to the settlers in those activities." (Anonymous witness No. 1, A/AC.145/RT.667)

497. Another witness from Hebron provided the following information concerning the behaviour of settlers:

> "There is a lot of provocation from the settlers.
>
> "In all kinds of manners, the settlers provoke the Arabs and the Palestinians on the roads.
>
> "A very old lady of 80 years of age was walking in the street and the children attacked her and beat her up. The army stood by, looking on without interfering.
>
> "Also, somebody with a dog would release it and the dog attacks the people on the road. The settlers provoke the youths who are on the road. Because of the provocations, the shops are closed. It is all left neglected and there is a lot of garbage in the living quarters."
> (Anonymous witness No. 2, A/AC.145/RT.667)

498. A witness from Nablus told the Special Committee that even small children going to school were not safe from attacks by settlers:

> "As they were going to school, pupils, seven to eight years old, were hit by the settlers. They pulled down the trousers of one of the pupils. When the teacher came to protect this pupil, they attacked the teacher as well." (Mr. Abel Fattah Mohammad Fayyad, witness No. 15, A/AC.145/RT.671/Add.1)

499. A witness who testified before the Special Committee spoke about what happened to a friend of his when he tried to overtake a settler car:

"I can tell you about the case of a friend of mine. He was on the road once in his car and he was overtaking a car with Israeli settlers in it. They asked him to slow down or to stop for reasons that obviously are not valid. He did not stop. He was shot at and received a bullet in his back. The result is that this young man is paralysed now from the waist down. He cannot walk." (Anonymous witness No. 12, A/AC.145/RT.671)

500. A witness who testified before the Special Committee spoke about the relations between Palestinians, settlers and the Israeli army in the Gaza Strip:

"There is hardly any contact between the settlers and the Palestinians inside the Gaza Strip, because of the very tense security situation. The settlers have got a number of roads that they use in order to bypass or stay away from the areas where the Palestinians live - unless it is a common road used by both communities.

"After the explosion that took place in Erez, there have been provocations or distant clashes. For example, some of the settlers tried to intercept some of the roads and to attack or harass some of the Palestinians." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

501. Another witness described to the Special Committee the behaviour of settlers in the Gaza Strip and in Hebron:

"I can tell you of another problem concerning another colony, close to Deir el-Balah. Whenever there is a problem, the settlers come and they block the road between Gaza and Khan Younis and this is something that causes a great deal of friction and clashes.

"Anything that happens, even outside the Gaza Strip, is a pretext for the settlers to be provocative towards the Palestinians." (Mr. Hussein Al-Haddad, witness No. 5, A/AC.145/RT.667/Add.1)

502. A witness who testified before the Special Committee provided further details concerning settlers:

"The settlers move freely everywhere and the special units are everywhere in the Gaza Strip.

"The Israeli armed forces have intervened in order to protect the settlers, in order to give them access to roads." (Anonymous witness No. 6, A/AC.145/RT.667)

503. A witness who testified before the Special Committee described the behaviour of settlers and of the Israeli army in the Gaza Strip:

"Every day, we see the settlements. For instance, if somebody working in Rafah goes from home in Gaza to Rafah, he would come across them every day. The settlers could aggress or attack people if the joint forces, that is the Palestinian and the Israeli patrols, are not in the area. There might be some roadblocks set up by the settlers. To give an example, a

friend of mine came from Egypt to the Gaza Strip through Rafah. He was stopped at a roadblock, in the absence of a patrol, and he was beaten up. He made a complaint to the police. He was taken to Al-Shifa Hospital. This happened on the road near the Gush Katif settlement.

"When the joint force patrols, that is the Palestinian and Israeli patrols, are not in the vicinity and an incident happens and the settlers beat up a Palestinian for one reason or another, the army would interfere after the beating has taken place, in a very cool and cold manner. They would just register the case, register that somebody has been beaten up. It seems that there is a certain tacit coordination between the two, the settlers and the army. Who comes in and when. For instance, there were cement blocks on the road to Egypt in order to block traffic. Two blocks were at a certain distance from each other and although the road is quite wide, they let individual cars pass through only one by one, each car having to wait for the one in front to reach the second block." (Mr. Khaled Abu-Rached, witness No. 4, A/AC.145/RT.667/Add.1)

504. Accounts of the effects of settlers' activities affecting the civilian population may be found in documents A/AC.145/RT.667 (two anonymous witnesses), A/AC.145/RT.667/Add.1 (Dr. Omar Hassan Shehada), A/AC.145/RT.667/Add.1 (Mr. Khaled Abu-Rached), A/AC.145/RT.667/Add.1 (Mr. Hussein Al-Haddad), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour), A/AC.145/RT.671 (anonymous witness and Mr. Mortada Moussalam Abu-Aiche), A/AC.145/RT.671/Add.1 (Mr. Abel Fattah Mohammad Fayyad) and A/AC.145/RT.672 (Mr. Imad Ali Al-Sharqawi).

Written information

505. On 3 April, residents of the village of Kissan filed a complaint with the Bethlehem police after 1,460 of their fruit trees had been uprooted and felled in the Deir Tahsin area, which belongs to the village. The villagers indicated that on the evening of 1 April, they saw a number of armed people equipped with electric chainsaws who systematically uprooted and cut down their fruit trees. The villagers said that they believed that residents from the nearby Maale Amos settlement were responsible. They also stated that the 150-odd trees that remained in the area were uprooted on 4 April, a day after they had lodged their complaint. Shepherds from the village who were in the Deir Tahsin area when the trees were uprooted stated that the people who uprooted the trees tried to scare them off by firing several shots in their direction. (Ha'aretz, 6 April)

506. On 3 April, the Society of Graduates of Deir Istiya issued a statement denouncing the settlers' daily attacks against residents. Villagers indicated that settlers opened fire at them when they attempted to go to their fields. (The Jerusalem Times, 7 April)

507. On 13 April, settlers from the Kiryat Arba settlement raked and fenced off about 2,000 dunums of land (500 acres) in the Khelat Al Daba' area of Hebron. The landowners asked the Land and Water Establishment to defend their case before the Israeli courts after the Israeli military commander for Hebron had refused to meet with them. In a separate development, settlers from the Oranit settlement are reported to have raided, with the help of the IDF, 25 dunums of land (6.25 acres) belonging to Seif El Din Mahmoud Amr in the village of Beit

Amin near Kalkyliya. The entire plot of land was fenced off. The landowner was threatened with death if he attempted to enter his land. The case of Amr's land is still pending before the Committee for Military Objections. (Al-Tali'ah, 13 April)

508. On 19 April, a six-year-old pupil, Yasmin Al Bayed, was attacked and beaten by a Jewish settler. Yasmin was on her way to the Cordoba Elementary School in Hebron when a group of settlers stopped her and tried to force her to go home. According to Yasmin's grandmother, one of the settlers beat up the child, throwing her to the ground, while settler children threw stones at her. (The Jerusalem Times, 28 April)

509. On 20 April, it was reported that during a recent curfew imposed on the town of Hebron, Israeli settlers had inaugurated a new building in a settlement quarter called Abraham, which is located near the Ibrahimi Mosque and the central vegetable market. (Al-Tali'ah, 20 April)

510. On 27 April, it was reported that settlers from the Ariel settlement had continued their attacks on land belonging to the town of Salfit with the aim of building a "security road" around the settlement. The landowners asked the Land and Water Establishment for Studies and Legal Services to take their case before the Israeli courts after the Israeli police had refused to register their complaints. In a separate development, Israeli settlers were reported to have raided the Kartaba Primary School for Girls in Hebron, destroying the building's contents. (Al-Tali'ah, 27 April)

511. On 29 April, some 20 Peace Now activists toured the Tel Rumeida neighbourhood of Hebron where they heard from Arab residents about their harassment by settlers. The residents indicated that their relations with their settler neighbours were poor and that settlers threw stones, fired shots at night and destroyed their property. The Peace Now spokesman indicated that at the end of the visit members of the movement witnessed an incident where a woman settler threw two bags full of garbage at the Palestinian who hosted them. (Ha'aretz, Jerusalem Post, 30 April)

512. On 30 April, a group of settlers and right-wing activists tried to enter Jenin and spend the night there, as a warning that settlers and their supporters would move into any Palestinian population centre that the IDF would evacuate. (Jerusalem Post, 1 May)

513. On 1 May, a Jewish settler from Neveh Dekalim, in the Gaza Strip, was apprehended by the police after he had tried to kill two Palestinians in the vicinity of Khan Younis in order to avenge the stabbing of his son by a "terrorist" 10 months earlier. (Ha'aretz, Jerusalem Post, 2 May)

514. On 6 May, it was reported that settlers from the Alon Moreh settlement had carried out works on five dunums of land (1.25 acres) belonging to the Deir Al Hatab village with the aim of building a swimming pool. The total land surface of the village is 75 dunums (18 acres). (Al-Tali'ah, 9 May)

515. On 18 May, settlers went on a rampage in Hebron, terrorizing residents and shattering windows of homes and cars, damaging solar water heaters and breaking

into shops in order to steal wood for holiday bonfires. Bonfires celebrating the Jewish holiday Lag B'Omer were reportedly also built around the Ibrahimi Mosque. Palestinian residents reported that settlers had stolen equipment from a blacksmith's workshop, 18 wooden doors from a carpenter and several sacks of barley from a grain warehouse. The Palestinians claimed that the barley and doors were used for bonfires. A police spokesman confirmed that windows of six cars had been broken and their tyres slashed. He also confirmed that wood had been stolen from a picture-frame store and a carpentry shop, and that several vegetable and fruit stands had been vandalized. No arrests of settlers were reported to have been made in connection with the rampage and vandalism. (Jerusalem Post, 19 May; also referred to in The Jerusalem Times, 26 May)

516. On 18 May, several hundred Jews marched through the centre of Nablus in what was dubbed the "Samaria March", which was aimed at expressing solidarity with Jewish settlers living in the area. The participants carried flags and banners reading: "Joseph shall not be sold again"; "No withdrawing of the IDF from the cities"; and "Don't turn Nablus into a second Gaza". Nine people were arrested but were released after questioning. (Jerusalem Post, 19 May)

517. On 23 May, a group of armed settlers forced their way into Hebron's Ahli Hospital, introducing themselves as doctors from the Peace Now movement. (The Jerusalem Times, 26 May)

518. On 25 May, Jewish settlers from the Kiryat Arba settlement attacked several shops in Hebron, causing significant damage. In addition, six Palestinians were reportedly injured and five cars completely destroyed when settlers in three vehicles attacked them. (Al-Tali'ah, 25 May)

519. On 28 May, a right-wing Israeli settler group, Shalom Le Dorot ("Peace for Generations") attempted to set up a settlement in Beit Hanina, near the existing Ramot settlement, in order to protest the recent Israeli decision to freeze land confiscation in Jerusalem. (The Jerusalem Times, 2 June)

520. On 3 June, eight Arab-owned cars in the Old City of Jerusalem were vandalized by Kach members. (Jerusalem Post, 5 June)

521. On 7 June, Palestinian farmers from Wad Amira, in the Artas area, planted new olive saplings in their fields after settlers from the neighbouring Efrat settlement had uprooted all their crops on the pretext that the land had been confiscated. (Al-Tali'ah, 8 June)

522. On 16 June, settlers went on a rampage in Hebron in retaliation for the stabbing earlier in the day of a Jewish settler by a Palestinian youth. In an hour-long riot, during which soldiers reportedly failed to control them, settlers destroyed and turned over produce stands in the town market and smashed Palestinian shop windows. Some settlers also tried to attack Palestinians but were stopped from doing so by Border Police forces. (Ha'aretz, Jerusalem Post, 18 June)

523. On 17 June, Jewish settlers, accompanied by Israeli soldiers, raided the house of Nabil Al Halaby in Hebron and attacked its residents. Halaby's son

Zakaria, 6, was dragged out of the house and beaten by both soldiers and settlers who wanted to punish him for throwing stones. (Al-Tali'ah, 22 June)

524. On 25 June, it was reported that during the weekend several Kach activists together with residents of the newly established Maaleh Yisrael settlement had tried to enter the village of Bidya in Samaria but had been stopped by IDF troops. Nevertheless, stones were thrown at several houses in the village later in the day, presumably by the same Kach activists. No arrests were reported in connection with the incident. (Ha'aretz, 25 June)

525. On 27 June, IDF troops separated Jews and Palestinians who clashed over land near the Beit Horon settlement. The incident reportedly began in the early morning when some 40 settlers fenced off 48 dunums of land (12 acres), which they claimed were included in the settlement's master plan. Soon thereafter, some 20 Palestinians from nearby Beit Ur Al Fouka arrived at the scene and claimed that the land was theirs. Soldiers separated the two groups and the settlers were issued a Civil Administration order to stop work. In another development, the IDF stopped work on two roads near the Kochav Hashachar settlement in order to determine whether the operation was legal. A number of settlers from the Vered Yericho settlement threw stones at Palestinian cars on the Jerusalem-Jericho highway. In addition, some 20 settlers tried to block the road with burning tyres, but were dispersed by the police who detained two of them for questioning. (Ha'aretz, Jerusalem Post, 28 June)

526. On 1 July, dozens of settlers from the Shavey Shomron settlement tried to block the Kalkiliya-Nablus road with stones in order to protest against plans to redeploy IDF troops away from Palestinian cities in Judea and Samaria (West Bank). Police arrested 20 settlers who were released later in the day. (Ha'aretz, 2 July)

527. On 1 July, the initial date scheduled for concluding an agreement on redeployment, settlers from the Homesh settlement closed the main Jenin-Nablus highway in order to protest the imminent withdrawal of Israeli troops from the area. Settlers threw stones at passing Palestinians. (The Jerusalem Times, 7 July)

528. On 2 July, some 30 residents of the Efrat settlement moved into an IDF outpost across from the Dheisheh refugee camp, which soldiers had evacuated a few days earlier. The settlers stated they had moved into the outpost because of a dramatic increase in stone-throwing incidents in the area since the IDF left the site. The Jerusalem Times reported that according to the settlers Israeli cars travelling along the Hebron-Bethlehem road had been attacked by stone-throwers during the previous days. (Ha'aretz, Jerusalem Post, 3 July; also referred to in The Jerusalem Times, 7 July)

529. On 6 July, some 100 settlers' vehicles made up a slow-moving convoy from the Ginot Shomron settlement to Kfar Sava. The aim of the convoy, which blocked traffic for kilometres along the Kalkiliya-Nablus road, was reportedly to protest against the Government's plans to evacuate the IDF from the area. (Ha'aretz, Jerusalem Post, 7 July)

530. On 8 July, two Palestinians were slightly injured when stones thrown at their car near the Eli settlement on the Nablus-Ramallah road smashed its windscreen. (Jerusalem Post, 9 July)

531. On 13 July, eight Jewish zealots tried to force their way onto the grounds of the Al Aqsa Mosque but were stopped by the Waqf guards. The incident took place during a meeting between the Islamic Waqf and a group of Arab Members of the Knesset (MK) to discuss violations against the Waqf perpetrated by the Jerusalem municipality. (The Jerusalem Times, 14 July)

532. On 15 July, five Palestinian boys were slightly injured in Hebron, one in the head, when settler children used catapults to shoot stones at them. One Jewish boy was detained for interrogation. The Mayor of Hebron, Mustafa Natshe, stated that settlers had gone on a rampage through the town to protest against the arrest, throwing stones at houses and smashing the windshield of an Arab-owned car. According to local reporters, five Palestinians and a settler were injured during the clashes. (Ha'aretz, 16 July; Jerusalem Post, 17 July)

533. On 17 July, dozens of settlers threw stones, eggs and tomatoes at the car of Ahmed Tibi, Yasser Arafat's special adviser. Mr. Tibi's car was attacked twice by settlers: first inside the Tekoa settlement, where Mr. Tibi was due to hold a meeting with Rabbi Menahem Fruman, and subsequently near the Efrat settlement. In the Tekoa settlement, several dozen settlers waved banners reading "Murderer" and used abusive language against Mr. Tibi. In a comment on the incidents, Mr. Tibi compared his assailants' behaviour to that of wild animals. (Ha'aretz, 18 July)

534. On 21 July, hundreds of settlers blocked major roads throughout the West Bank with burning tyres and large stones, and clashed with Palestinians during a protest against what they described as the neglect of their security by the Government. The Israeli army radio reported that settlers had thrown stones and sharp objects at the houses of Arab residents in the Beit El area and that one settler from Beit El had shot live bullets at Palestinians. No one was hurt, however. In the vicinity of the Kedumim settlement, police apprehended 13 Jewish settlers who had blocked a road near the settlement. In most other localities, however, the police allowed settlers to block roads for two hours, after which they dispersed at the order of the organizers. (Ha'aretz, Jerusalem Post, 23 July)

535. On 21 July, it was reported that Jewish settlers from Hadashah had continued their attacks on Beit Ijza village near Ramallah for the third consecutive day, in an attempt to confiscate additional land from the village in order to expand their settlement. Settler soldiers used live ammunition to disperse the Palestinian residents who confronted them. In a separate development, the residents of Tel Rumeida and Jabal Rahmeh near Hebron complained about Jewish settlers throwing iron balls at passers-by and houses. (The Jerusalem Times, 21 July)

536. On 23 July, the leader of the settlement in Hebron, Noam Arnon, announced that the Jews of Hebron would set up guard units in order to defend themselves in the event of an IDF withdrawal from the town. (Jerusalem Post, 24 July)

537. On 24 July, the high school in the village of Burin, near Nablus, was set on fire. Eyewitnesses from the village stated that the arsonists, who arrived at the school at 2 a.m., had poured an inflammable liquid on tyres and set them on fire in front of the school. According to the eyewitnesses, the arsonists escaped in three vehicles with Israeli licence plates and headed towards the Yitzhar settlement. The villagers indicated that the arson attack was a continuation of a series of incidents of harassment by settlers from Yitzhar. They indicated that 10 days earlier a clinic in the village had also been set on fire. (Ha'aretz, 24 July)

538. On 26 July, several Jewish settlers fired shots outside the home of Faisal Husseini in East Jerusalem while the senior PLO official was inside. Three yeshiva students were detained immediately after the attack but were later released on bail. Mr. Husseini stated that the settlers got out of their cars and began throwing stones and smashed the windows of several cars. The Jerusalem Times reported that the cars belonged to doctors who worked at the Red Crescent Hospital in Jerusalem. Afterwards, they fired more than 20 shots. The Kach movement claimed responsibility for the shooting incident, which, it stated, had been carried out in response to the stoning of six of its members near Husseini's home. Shots were reportedly fired at Husseini's home by settlers on 13 June, during an anti-Arab demonstration. On 31 July, shots were fired again in the vicinity of Faisal Husseini's home. (Ha'aretz, Jerusalem Post, 27 July; Jerusalem Post, 1 August; also referred to in The Jerusalem Times, 28 July)

539. On 29 July, about 1,000 settlers demonstrated in Wadi Joz, near Orient House in Jerusalem, vandalizing residents' cars and property. The next day, settlers tried to rush through the gates of Orient House immediately after Faisal Husseini had arrived. On 31 July, shots were again fired near Husseini's home by settlers. (The Jerusalem Times, 4 August)

540. On 30 July, about 2,000 Jewish settlers brought bulldozers to level lands near Bethlehem, at Baten Muassi. In a separate development, settlers badly injured a Palestinian woman and two men during a demonstration at Dinawiyeh, near Hebron. (The Jerusalem Times, 4 August)

541. On 31 July, the Israeli army and Border Police evacuated the Um Hmedeen hills, near Bethlehem, where Jewish settlers had pitched tents 10 days earlier in order to start a new encampment on land belonging to Al Khedr village. In a separate development, a group of right-wing Jews tried to get into the Holy Compound in Jerusalem. They were prevented from doing so by guards. (The Jerusalem Times, 4 August)

542. On 1 and 2 August, settlers from the Shilo settlement took positions on hills along the Nablus-Ramallah road and threw stones at passing Arab cars. Other settlers from the Shilo and Rahel settlements installed barbed wire around 1,600 acres of land belonging to the village of Singel near Ramallah, which they declared confiscated. Some 600 additional dunums of land near Khan Younis were also closed off by settlers. Settlers from the Efrat settlement returned to the Um Hmedeen hill next to the Al Khedr village near Bethlehem before being evicted by the Israeli army. Other settlers brought caravans to a site near the Hajay

settlement in the Hebron area. (Al-Tali'ah, 3 August; The Jerusalem Times, 4 August)

543. On 3 August, the settlers from the Afni Hayfats settlement declared the confiscation of 1,600 dunums of land belonging to the village of Kafr Labd near Tulkarm and installed barbed wire around it. In a separate development, settlers from the Hadassah settlement threatened to kill a Hebron resident, Khaled Al Khatib, and his family because the latter had filed a case against settler Baruch Barzali. (Al-Tali'ah, 3 August)

544. On 9 August, the residents of Halhul, responding to a call transmitted by the mosque public address system, managed to chase a group of settlers off their land near the town. (The Jerusalem Times, 11 August)

545. On 11 August, it was reported that settlers had refused to comply with an Israeli court order issued on 2 July requiring that they stop paving a circular road around Khan Younis in the southern part of the Gaza Strip. Palestinians from the Khan Younis area also reported constant harassment by settlers from the Kafr Yam settlement. (The Jerusalem Times, 11 August)

546. On 12 August, settlers from the Efrat settlement started levelling land on Um Hmedeen Hill in the Al Khedr village near Bethlehem. They later installed caravans on the site. (The Jerusalem Times, 17 August)

547. On 13 August, a Palestinian man was killed (see list) when settlers from Beit El opened fire on Palestinian demonstrators from the Dura al Kara village who tore down and set fire to a makeshift camp they had erected on Har Atris as part of a campaign to thwart Palestinian self-rule. In addition, Palestinian sources reported tnat the 70-year-old mukhtar of the village fell and broke several ribs when he tried to flee from the settlers' gunfire. According to the Palestinian demonstrators and several journalists who witnessed the incident, settlers shot directly at the fleeing Palestinians although their lives were not in danger. Witnesses also stated that the army and police had arrived on the scene long after the shooting had begun. In a statement issued about the incident, the head of Binyamin regional council, Pinhas Wallesterin, warned that settlers would not tolerate Palestinian protesters near their communities and makeshift encampments and declared that Arabs who would approach their communities without permission would not come out alive. The police reportedly apprehended four settlers in connection with the killing. (Ha'aretz, 14 August; Jerusalem Post, 14 and 15 August)

548. On 16 August, the police detained for questioning three settlers from Beit El who had fired shots in the air in the Arab neighbourhood of Beit Hanina in East Jerusalem. The arrest was made after residents had complained that at 2 a.m. unidentified gunmen riding in a car with Israeli licence plates had shot in the air in the neighbourhood without any reason. The three settlers, who claimed that they had fired shots because they feared the Arabs might throw stones at them, were released on personal bail. (Ha'aretz, 17 August)

549. On 17 August, settlers from the Kiryat Arba settlement inundated with sewage water the land of Mohammed Khedr Da'na in a repeated attempt to drive him off his property. (Al-Tali'ah, 17 August)

D. Treatment of detainees

(a) Measures concerning the release of detainees

Oral evidence

550. Mr. Ahmad Sayyad, the Director of the Mandela Institute for Political Prisoners, summed up the situation concerning detainees in the following manner:

> "Since the signing of the Cairo Agreement, the question of prisoners and detainees is still pending and faces obstacles and difficulties owing to the intransigence of the Israeli occupation authorities and the fact that they do not express any reason or wish in order to reach a logical and just solution to this question.
>
> "Also, the prison administration has a negative impact on the morale of the prisoners, as it keeps announcing the immediate release of prisoners without implementing it. When it does release prisoners, they are detainees whose period of detention had anyway come to an end." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

551. Dr. Ruchama Marton, founder and Chairperson of the Association of Israeli-Palestinian Physicians for Human Rights, spoke to the Special Committee about the situation of prisoners in the context of the Oslo Agreement:

> "After the Oslo Agreement, complaints from prisoners were not very many. But lately, specifically with the new wave of arrests and detentions, and also, I guess, with the loss of hope for many prisoners to get released soon, the number of complaints has risen and we again reach a number of 40 to 60 complaints per month." (Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

552. Mr. Sayyad provided the Special Committee with detailed information concerning arrests of Palestinians since the signing of the Cairo Agreement in May 1994:

> "In the six months following the signing of the Cairo Agreement, 1,550 Palestinian citizens were imprisoned, from the various age groups, starting at the age of 14 years up. In the first three months following the signing of the Agreement, 750 people were imprisoned and 800 in the three months after, in addition to changing to administrative detention the mode of imprisonment of some of the prisoners. In the first six months, 65 cases were changed into administrative detention cases, 30 of them from the West Bank and 35 from the Gaza Strip. Most of these detention cases were decided upon on the pretext that the people belonged to the opposition, particularly the Hamas and Islamic Jihad groups, plus a number of exilees who were returned to the Marj Al-Zuhur camp, as well as a number of persons wanted or suspected by the Israeli authorities of having given assistance to wanted people.
>
> "Since the Beit Lid incident until now, 2,000 Palestinians have been taken prisoners. A number of them were released after questioning and

others were placed under administrative detention, while a third group were sent to trial." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

553. Testimonies relating to the treatment of detainees may be found in documents A/AC.145/RT.674 (Mr. Ahmad Mohammad Sayyad) and A/AC.145/RT.675 (Mrs. Ruchama Marton).

Written information

554. On 8 May, on the occasion of the Id al-Adha holiday, Israel started gradually to release some 250 Palestinian prisoners (37 from Gaza and 213 from the West Bank) who had all been sentenced in military courts in the territories and jailed in detention facilities of the IDF and GSS. The prisoners, who belong to Fatah and the People's Party, were nearing the end of their prison terms and were all chosen according to stringent criteria. The releases, expected to be completed later in the week, included only prisoners who were not guilty of murder (either of an Israeli or a Palestinian) or of injuring an Israeli. An additional criterion was that they did not belong to an organization opposing the peace process. Prior to their release, the prisoners had to sign a declaration in which they undertook not to engage in any "terrorist" activities or other actions against the peace process. Palestinians reacted without enthusiasm to the Israeli gesture, stating that it fell far shorter than their demands for the release of all the 6,000 remaining Palestinian prisoners who had been jailed prior to the signing of the Oslo Agreement. Some 5,530 Palestinians reportedly remained in Israeli detention facilities. (Ha'aretz, Jerusalem Post, 8 and 9 May; also referred to in The Jerusalem Times, 10 May)

555. On 9 May, it was reported that 2,000 Palestinian prisoners were expected to be released by the end of July. Some 6,000 Palestinian prisoners and detainees were said to be incarcerated in detention facilities in Israel. Some of them had been rounded up during the wave of arrests made by the Israeli security forces following the Tel Aviv bus bombing attack. (Ha'aretz, 9 May)

556. On 29 June, the ministerial committee for the release of Palestinian security prisoners met to discuss large-scale releases of detainees. The meeting was held against the backdrop of a prisoner's hunger strike that had begun on 18 June. Police Minister Moshe Shahal stated that 1,500 out of the 5,600 prisoners had been arrested after the Oslo Agreements and would not be freed. He stated that an additional 900 Palestinians who were charged with "criminal offences" would also not be released. (Jerusalem Post, 30 June)

557. On 8 July, Israeli Television announced that the Government of Israel had agreed to release some 600 prisoners within 10 days. The broadcast added that the prisoners were part of a total of 1,500 expected to be released within the next few months. (The Jerusalem Times, 14 July)

558. On 11 July, it was reported that two female prisoners, Fatima Jaradat and Reem Felaneh, had been released from jail, but not in the context of a prisoner release. The two had applied for early release after servicing two thirds of their sentences. (The Jerusalem Times, 14 July)

559. On 14 July, talks between Israel and the Palestinians on the release of Palestinian detainees ended in Jerusalem with an agreement in principle to release numerous Palestinian inmates in two stages and to discuss further releases later on. Although no figures were issued, the number of prisoners to be released in the first two stages was understood to include 1,500 to 2,000 inmates who had mostly been arrested prior to the signing of the Oslo Agreement. Of these, some 100 would include elderly and sick detainees; those under the age of 18; and women prisoners. Israel insisted that the prisoners should not be guilty of serious crimes. An additional criterion was that they would accept the peace process. The releases were expected to begin after the signing of a second-stage interim agreement between Israel and the PLO and would continue a few months later, prior to the elections for the Palestinian Council. (Ha'aretz, Jerusalem Post, 16 July)

560. On 11 August, Foreign Minister Shimon Peres stated in Taba that in addition to the two stages of prisoner releases that were scheduled to take place after the signing of the Interim Agreement and before Palestinian elections, there would be a third stage of prisoner release. No date was set for the release, however. (Ha'aretz, Jerusalem Post, 13 August)

561. On 11 August, it was reported that, according to the prisoners detained in Jneid prison, some 75 files concerning prisoners serving life sentences had been transferred by the prison authorities to the inner circle of the Israeli Cabinet for review prior to any releases. Detainees quoted prison authorities as saying that their files had been divided into three categories: those prisoners who were accused of killing or injuring Jews, those accused of armed violence and of killing collaborators, and those accused of political activism during the intifadah. One hundred and twenty prisoners detained in Jneid prison fell in the first category. The Israeli authorities had refused to negotiate the release of 700 prisoners described by Israel as having Jewish blood on their hands. (The Jerusalem Times, 11 August)

(b) Other information concerning detainees

Oral evidence

562. The field researcher at B'tselem informed the Special Committee about the treatment of Palestinian detainees in Israeli prisons and detention centres, in particular during interrogations:

> "I will now give you some information about investigations. It is true that the number of people arrested and imprisoned has decreased. However, investigations continue and the methods used are even more dangerous than before. Last April, a prisoner was killed in one of the investigation camps. The forms of torture we have become familiar with in the past do continue, unabated. There is also a new method used by the Israeli authorities in the recent past. It has led to the death of prisoner Abdel-Samad Harizat on 24 April 1995.
>
> "This method is the following: the prisoner is held by the throat and is shaken violently, so that head and neck move back and forth with great speed for about five minutes. The prisoner has no control over his head

and neck. Then, he is left for a certain period of time, after which the procedure starts again. It is a continuous process, the head is shaken, the neck is shaken.

"I asked three different prisoners who recently left their prison and they have given me information about this new method the Israelis are now using with prisoners. They said that they fainted eventually, when treated in that way." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

563. Mr. Fouad Issa Abu Hamid provided the Special Committee with detailed information about the circumstances of the death of prisoner Abdel-Samad Harizat:

"Prisoner Abdel-Samad Harizat had never been sick before in his life. He was imprisoned on 23 April 1995 and moved from Hebron to Jerusalem to the Moscobiya prison, which is considered to be one of the toughest investigative prisons. A few hours after his imprisonment, the authorities issued a statement to the effect that he was being transported to hospital in a coma. That was, as I say, just a few hours after his imprisonment. He died on 24 April 1995, that is one day after being imprisoned. The Israeli security forces contacted his family and told them that they could visit their son. They did not say that he was dead. They also asked them to bring all the medicines that he used to take. When his father said that his son had never been sick and had never taken medicines in his life, the Israeli intelligence officer told him to go to the pharmacy, get some medicines and take them to the Moscobiya prison to visit his son. So, the father went to the Moscobiya prison. He was told there that his son was sick and had been transported to hospital. The father went on to the hospital and found his son dead. An autopsy was carried out by a Scottish doctor who stated that the man had died as a result of the torture he had been subjected to, and for no other reason, and that the method of torture used had been the shaking I have just described to you."
(Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

564. The founder and Chairperson of the Association of Israeli-Palestinian Physicians for Human Rights described to the Special Committee the definition of "moderate physical pressure":

"Regarding this shameful definition of 'moderate physical pressure', everybody knows, maybe not this very respectable old judge who found this terminology, but otherwise everybody knows, it is common knowledge, that this 'mild physical pressure' is another word for torture, a euphemism for torture, and for systematic torture. Not occasional cases."
(Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

565. Dr. Marton explained to the Special Committee the methods of torture which resulted in the death of prisoner Harizat:

"Because of poor Harizat who died, one knows now of another method that maybe does not leave blood on the patient, but might harm the person severely up to his or her death. It consists of shaking the person in a very rough and severe way. You have to know that by shaking a person

severely, taking him by the shoulders or the shirt, the head is freely moving back and forward. Through these violent movements, the brain is pushed against the closed capsule of the skull, causing small or big haemorrhages in the cover of the brain, which might be fatal or might cause, if not death, but brain damage that we call in medicine 'post-concussion syndrome'." (Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

566. The B'tselem field researcher provided the Special Committee with background information concerning the guidelines issued by the Landau Commission and how they were currently applied:

"In 1987, after the famous incident of bus 300 when a large number of Israelis were killed, the Landau Commission was set up, named after a judge in the Court of Justice. This Commission examined and discussed the question of giving the security forces and the intelligence forces a large mandate for investigation. After the Dizengoff operation on 19 October when 21 Israelis were killed, the ministerial committee in charge of intelligence affairs met and issued a permission for three months for the intelligence services to act freely. This committee is composed of Prime Minister Mr. Rabin, of Minister of Justice Mr. Liba'i, of Mr. Shahal, the Minister for Police Affairs, and of Mr. Sarid, Minister of the Environment. The committee decided on the concept of 'time bomb', that is to say if one decides that a particular person is a so-called 'time bomb', then this person can be called in, interrogated in every possible manner in order to acquire the necessary information from that person. In other words, the man who carried out the Dizengoff suicide operation, had he been arrested the day before, could have been tortured in every possible manner so as to wrench the information from him. The problem there is: who is to say that this one person or the other is dangerous, is a 'time bomb'? All Palestinians can be considered to be walking time bombs. There is no control over the intelligence services in Israel. Even the ministerial committee does not really have any mandate to that effect.

"They said that Harizat was a walking time bomb. Anybody can be arrested and killed and, afterwards, you say that this particular man was a time bomb!

"Three months later, the Beit Lid operation took place on 22 January 1995. Twenty Israeli soldiers were killed, as well as one Israeli citizen. In that case, the ministerial committee again gave another three months to the intelligence services with a free hand in their operations. At the end of those three months, the Kfar Darom operation took place on 9 April. Seven Israeli soldiers and one American tourist were killed in this operation. So, as you see, the problem continues and the Israeli intelligence services have an enormously wide mandate.

"As to the second part of your question, there is no control on the activities of the Israeli intelligence. Even the Landau Commission and the ministerial committee have not determined anything at all concerning the intelligence agency. The intelligence agency works quite freely and, as I said, they work according to the principle of 'walking time bombs'.

"After every killing, in the camps or in the prisons, there is quite a do about it. Investigations are carried out. Then the whole thing calms down and everything goes back to normal again." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

567. Mr. Ahmad Mohammad Sayyad, Director of the Mandela Institute for Political Prisoners, confirmed what persons from other human rights organizations had told the Special Committee about new methods of questioning of prisoners by Israeli investigators:

"After the two bomb incidents in Dizengoff Street in Tel Aviv on 19 April 1994 and in Beit Lid on 22 January 1995, the Government of Israel has given investigators a free hand in using various methods during questioning and investigation. This has led to the fact that they have gone beyond the framework set up in 1987 by the Landau Commission, which allowed for the use of 'moderate physical and psychological pressure', thus legitimizing torture in the Israeli law, leaving the interpretation of 'moderate' to the investigators themselves, without restrictions and standards." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

568. Mr. Imad Ali Al-Sharqawi, a lawyer from the Palestine Centre for Human Rights in Amman, told the Special Committee of a statement made by the father of a Palestinian prisoner who had died:

"My son was pursued for 64 days and I did not see him during all that time. After he was killed, I wanted to say goodbye to him and to kiss him, but his face was totally mutilated and I could not even kiss him."

569. In addition, Mr. Al-Sharqawi provided the Special Committee with the following information concerning interrogation:

"We can see this from the statement presented by the Israeli intelligence officer to the higher court. He said that a member of the Hamas group was questioned for 32 consecutive hours, was allowed a rest of 16 hours, questioned again for another period of 42 hours, followed by a rest period of 65 hours, followed again by 42 hours of investigation and inquiries, another period of rest of 65 hours and then, 33 hours of investigation and inquiries again." (Mr. Imad Ali Al-Sharqawi, witness No. 16, A/AC.145/RT.672)

570. Mr. Sayyad told the Special Committee about the conditions of detention and their detrimental effects on the health of prisoners:

"Regarding the health situation in prisons, conditions have remained the same, if not deteriorated. Minimum standards are often lacking. Treatment for prisoners suffering from psychological problems, from liver and renal diseases, from rheumatism, is not available, beside deliberate negligence on the part of the prison administration in treating the prisoners suffering of other ailments, as well as procrastination in transferring to hospital seriously ill people. This has all led to a deterioration of the health situation in the prisons. It puts the life of the prisoners to grave danger, as has been the case of Masoud Jalal, who

died as the result of deliberate medical negligence from the prison administration." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

571. The Director of the Mandela Institute dwelt in particular on the case of Mr. Mazud Dalal, who died as a result of medical negligence:

"Mazud Dalal arrived in prison on 6 October 1994. He was suffering from back pains and had problems with his left leg due to previous imprisonments. On 6 November 1994, he complained of serious pains in the lower lumbar region and liver, and he was vomiting. Diagnosis and treatment were delayed. He was not transported to hospital soon enough and he died in hospital on 8 April 1995.

"At present, there are 400 prisoners who are suffering from medical problems. Their health situation could deteriorate if they are not given the necessary medical attention." (Mr. Ahmad Mohammad Sayyad, witness No. 20, A/AC.145/RT.674)

572. Dr. Ruchama Marton, founder and Chairperson of the Association of Israeli-Palestinian Physicians for Human Rights, stated the following with regard to Palestinian prisoners who are mentally ill:

"If detainees are mentally sick (in a common way I would say they are insane), they are not given the correct possibility to be checked by a psychiatrist who is, as I would say, 'in good faith'.

"In jail, their situation becomes even worse, because the wardens simply do not know what to do with those people. As a matter of fact, they have nothing to do with them. So, to make their life easier, they put them in solitary confinement, not as a punishment, but just like a kind of solution to this awkward situation. Not only are they insane, but some of them stay very long in solitary confinement, which makes their condition even worse. Solitary confinement is very difficult even for a normal person." (Mrs. Ruchama Marton, witness No. 21, A/AC.145/RT.675)

573. Testimonies relating to the treatment of detainees may be found in documents A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.672 (Mr. Imad Ali Al-Sharqawi), A/AC.145/RT.674 (Mr. Ahmad Mohammad Sayyad) and A/AC.145/RT.675 (Mrs. Ruchama Marton).

Written information

574. On 2 April, it was reported that 20 Hamas activists who had been arrested on 21 March, a day after the discovery in Tel Sheva of an explosive-laden truck, were still in Israeli custody. (Ha'aretz, 2 April)

575. On 8 April, a 28-year-old Palestinian (administrative) detainee from Kalkiliya, Ma'azouz Dalal, died (see list) at the Asaf Harofeh hospital (after being transferred from Jneid prison). The Mandela Institute for Political Prisoners and the Al Haq human rights organization, together with the Association of Israeli-Palestinian Physicians for Human Rights, issued a joint

statement in which they accused the prison authorities of medical negligence leading to the prisoner's death. However, the Prison Service spokesman, Moshe Malul, denied the allegations that the prisoner had received insufficient treatment or that he had been hospitalized too late. (Ha'aretz, 10 April; also referred in to Al-Tali'ah, 13 April, The Jerusalem Times, 14 April)

576. On 17 April, Al-Haq and the Mandela Institute issued a statement noting that following the January 1995 Beit Lid bombing Israel had authorized the extension of administrative detention from a maximum of six months to a maximum of one year, renewable. The human rights organizations also reported that approximately 6,000 Palestinian prisoners remained in Israeli prisons, military detention centres and police lock-ups. Forty-two among them were women; 200 were minors under 18 years of age; and 237 were being held under administrative detention orders, 37 of whom had been subject to more than one consecutive order. Some 400 detainees had medical problems requiring treatment, but were not receiving any medical care. (The Jerusalem Times, 21 April)

577. On 19 April, Fatah prisoners still held in Israeli prisons declared through a statement of the Prisoner's Central Committee in Jneid Prison that they would no longer comply with prison regulations until the authorities acknowledged their right to be released. (The Jerusalem Times, 21 April)

578. On 18 April, an administrative detainee from Bethlehem petitioned the High Court of Justice, asking that it forbid the GSS to torture him or cause him any physical or psychological harm during his interrogations. The detainee, Jamal Shahtur, claimed through his lawyer that he had been taken for investigation while under administrative detention, without his family being informed of this. A fortnight later, he was brought before the Ramallah Military Court on charges of throwing a grenade eight months earlier and trying to procure weapons. Once again, despite his requests, no notification had been given to his family or lawyer. The detainee claimed that immediately upon being brought to the lock-up, he had been interrogated and heavily beaten on the chest by an interrogator called "Captain Martin" who also deliberately trampled on the iron chains holding the shackles around his ankles in order to drive them into his flesh. He also stated that he was subjected to eight days of sleep deprivation, during which he was allowed to sleep only once for one or two hours and was constantly kept on a small chair with his hands and legs tied and with a sack over his head, except when he was in the interrogation chambers. He charged that during the first two days of questioning he was not given anything to eat and was told, whenever he said that he was hungry, that he would not get any food unless he confessed to the charges against him. In addition, he stated that his interrogators threatened to kill him, verbally abused him and cursed his mother, creating an atmosphere of terror which convinced him that his life would be in danger if he did not obey them. In the petition, the lawyer claimed that Shahtur had not been interrogated about a future attack or about any information he could have about the hiding places of "terrorists", but about offences he had allegedly committed in the past. This, the lawyer claimed, attested to the fact that the allegations against him were not of the kind interrogators defined as the "ticking bomb" in order to justify the exertion of "extreme pressure". (Ha'aretz, 19 April)

579. On 25 April, a 28-year-old physically disabled Palestinian from Hebron who was arrested in his home on the night between 21 and 22 April by the GSS on charges of participating in Izz al-Din al-Qassam attacks on Israeli targets in the Hebron area, died of a head wound (see list) at the Hadassah Hospital in Jerusalem. The Jerusalem Times reported that, according to an eyewitness, Harizat was brutally beaten at the time of his arrest. The Palestinian, Abdel Samed Harizat, was rushed to the hospital on 23 April in a state of clinical death after being interrogated by GSS and police investigators in the Jerusalem police detention centre located in the Russian Compound (Al Moskobiya). He was briefly detained at Hebron prison before that. A hospital physician reportedly stated that this beating had continued for some time. The physician is also reported to have determined that Harizat suffered from severe brain damage, probably caused by oxygen failing to reach the brain following a blow to the left side of the chest. An autopsy was ordered by the Civil Administration. The GSS denied allegations that the detainee had been tortured by his interrogators. The Public Committee Against Torture in Israel issued a statement in which it stressed that four prisoners had died during or as a result of interrogations (one committed suicide) since the Special Ministerial Committee on the GSS extended in April by three months the permission to interrogate detainees by using physical pressure beyond the restrictions imposed by the Landau Commission. (Ha'aretz, Jerusalem Post, 26 April; Ha'aretz, 27 April; Ha'aretz, Jerusalem Post, 30 April; Jerusalem Post, 1 May; also referred to in The Jerusalem Times, 28 April)

580. On 30 April and 1 May, it was reported that an autopsy performed on the body of Hamas member Abdel Samed Harizat, who had died of brain damage on 25 April, had revealed that he was tortured to death. The autopsy, carried out by two Israeli pathologists in the presence of a Scottish pathologist, Dr. Derrick Pounder, who attended at the request of Harizat's family, showed conclusively that Harizat had died in "unnatural circumstances" as a result of a concussion following violent shaking. (Ha'aretz, Jerusalem Post, 30 April; Ha'aretz, Jerusalem Post, 1 May; also referred to in The Jerusalem Times, 5 May)

581. On 12 May, it was reported that the legal advisor to the OC of IDF troops in the West Bank had appointed an officer to investigate complaints of beatings and humiliation of detainees in an IDF detention facility near the Farah refugee camp. The legal advisor also asked the officer in charge of the detention facility to account for a list of alleged violations of detainee's rights. The list, compiled by lawyer Tamar Peleg on behalf of the International Association for Children's Rights, included complaints by two detainees who are minors. One of them, aged 14, claimed that an interrogator called "Captain Alon" broke his hand during interrogation, while the other, aged 16, stated that a policeman made him undress and made him stand with his face to a wall after he had threatened to lodge a complaint against him. Lawyer Peleg also demanded that the legal advisor order an inquiry into the alleged use of tear-gas three weeks earlier to repress a protest by prisoners. (Ha'aretz, 12 May)

582. On 17 May, it was reported that Ahmad Sayyad, Director of the Ramallah-based Mandela Institute for Political Prisoners, had stated that detention conditions in Israeli prisons were worse than they used to be. (Jerusalem Post, 17 May)

583. On 17 May, it was reported that a security detainee at the Hebron prison had appealed to the High Court of Justice to forbid the GSS to continue torturing him. The Court was also asked to order the GSS to explain why there was a need to continue to interrogate the detainee, in view of the fact that a charge sheet had already been filed against him. In the appeal, the detainee claimed that he had been held for at least four days in a painful and humiliating position by being placed on a small chair with his hands shackled behind his back and a sack placed on his head. He further charged that he had been subjected to sleep deprivation and had not been given a change of clothes since his interrogation began three months earlier. The detainee's lawyer pointed out in the appeal that three similar appeals he had filed previously against torture of detainees in the Hebron prison (two of which dated from the previous year) were still awaiting a decision by the High Court of Justice. (Ha'aretz, 17 May)

584. On 29 May, according to a Solidarity International statement, prisoners at the Fa'ra military detention centre will refuse to appear before Israeli military courts as of 1 June 1995 in order to protest against the sentences that are currently being meted out and which they consider unjust and by far exceeding those issued in the past. (The Jerusalem Times, 2 June)

585. On 5 June, Prisons Commissioner Arye Bibi established an investigating committee to probe the death of Sultan Hashem Mahmoud, who was found dead at the Beersheba prison the same morning. (Jerusalem Post, 6 June)

586. On 12 June, the Association for Civil Rights in Israel presented Justice Minister David Liba'i with a medical opinion asserting that it was well-known that brain damage and even death could result from violent shaking. The medical opinion, prepared by D. Kirschner from the Institute of Forensic Medicine of the University of Chicago, countered a pathologist's report compiled by the Institute of Forensic Medicine in Abu Kabir according to which death from shaking was such a rare occurrence that only medical experts were likely to be aware of it. The report of the Abu Kabir Institute was said to be one of the main reasons why the State Attorney had decided not to file criminal charges against the GSS interrogator responsible for the violent shaking that lead to the death in April 1995 of Palestinian detainee Abdel-Samad Harizat. (Jerusalem Post, 13 June)

587. On 18 June, Palestinian political prisoners began an open-ended hunger strike with the aim of obtaining the immediate and unconditional release of the 5,400 Palestinian political prisoners who were still in detention. (Al-Tali'ah, 22 June; The Jerusalem Times, 23 June)

588. On 22 June, Palestinian human rights organizations monitoring the Palestinian prisoners' hunger strike charged that the Israeli prison authorities were preventing the prisoners on hunger strike from taking their daily one-hour walk. In addition, the organizations cautioned that the health condition of five women prisoners who were on hunger strike was deteriorating. They also stated that the Kfar Yona prison authorities had prevented Attorney Hinawi from visiting Sheik Ahmad Yassin. The Ashkelon prison authorities also barred Attorney Mera'i from visiting prisoners who were his clients. (Ha'aretz, 23 June)

589. On 28 June, guards at the Dahariya prison used tear-gas to break up a clash between prisoners and guards. (Jerusalem Post, 30 June)

590. On 29 June, it was reported that, as the open-ended hunger strike continued, more than a dozen prisoners on strike had been transferred to Ramla prison hospital because of their deteriorating health conditions. An estimated 60 per cent of the prison population, including seriously ill prisoners, had also joined the strike. The Mandela Institute for Political Prisoners reported that a number of prisons had repeatedly refused access to attorneys. (The Jerusalem Times, 30 June)

591. On 2 July, Palestinian prisoners resumed a full hunger strike after a one-day break by 700 inmates at the Jneid prison in Nablus, who had started a hunger strike for their release 14 days earlier. According to the Mandela Institute, almost all of the 3,200 prisoners detained in jails run by the prisons service were on hunger strike, as well as the 700 prisoners detained in the IDF detention facility of Ketziot. Among the prisoners' demands were the establishment of a timetable for the release of all Palestinian prisoners and the immediate release of all women prisoners. (Jerusalem Post, 3 July)

592. On 3 July, Ahmad Sayyad, the head of the Ramallah-based Mandela Institute for Political Prisoners, stated that lawyers who frequently visited Israeli prisons indicated that there had recently been a large increase in the number of detainees on hunger strike who were collapsing owing to exhaustion. (Ha'aretz, 4 July)

593. On 7 July, Palestinian prisoners in Tel Mond, Ashkelon and Beersheba prisons suspended their open-ended hunger strike after 20 days. Prisoners in other detention camps had ended their strike two days earlier. (The Jerusalem Times, 14 July)

594. On 19 July, the High Court of Justice issued an order nisi giving the head of Ashkelon prison and the GSS three days to explain why they were depriving a Palestinian detainee, Samir Hamtu, of at least six consecutive hours of daily sleep; why they were keeping him in a cell measuring one and a half metres by two metres, with no windows, toilet or sink; and why they were not allowing him to take a daily walk, in compliance with prison regulations. The Court did not issue an interim order, as requested by the detainee's attorney, banning the GSS from keeping the detainee in a cell unworthy of its name and interrogating him for more than six consecutive hours so that he could get some sleep. (Ha'aretz, 20 July)

595. On 23 July, the ministerial committee on the GSS decided to extend by 10 days the permission granted to interrogators to use "special interrogation methods" on Islamic Jihad and Hamas activists. (Ha'aretz, 24 July)

596. On 4 August, it was reported that the High Court of Justice had rejected an appeal by GSS detainees to improve their conditions of detention in Hebron prison. The petitioners' attorney claimed that the detainees were held for 24 hours a day in small, constantly lit and isolated cells with no windows and were not allowed to take a daily walk, have a change of clothes or take more than one shower per week. In addition, a chamber pot was kept in their cells.

The attorney claimed further that the detention conditions in the prison violated the detainees' basic human rights as well as the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1955. During the hearing, the prison commander informed the Court that several of the "irregularities" referred to by the attorney had been corrected. This included arrangements for the supply of additional clothes, the possibility of taking showers more often and a decision to escort detainees to the toilets, provided that the wardens were not engaged in other duties at the same time. (Ha'aretz, 4 August)

597. On 7 August, the Public Committee Against Torture in Israel filed a petition with the High Court of Justice on behalf of a 35-year-old Palestinian detainee demanding that the GSS interrogators be ordered not to abuse him either physically or mentally. (Jerusalem Post, 8 August)

598. On 8 August, the Association for Civil Rights in Israel notified the High Court of Justice that it was opposed to the request made by the State to adjourn the hearing of its petition against "body shaking" during GSS interrogations. The Association claimed that its petition was of the utmost constitutional importance since it concerned the danger of death or irreversible damage faced by GSS detainees as a result of shaking during interrogations. The Association indicated that the Court's deliberations would have far-reaching implications regarding the lives and health of thousands of persons. (Ha'aretz, 9 August)

E. Annexation and settlement

Oral evidence

599. Mr. Sami Abdel Rahman Mohsen Hashish, a staff member of the Land and Water Establishment for Studies and Legal Services, provided the Special Committee with a detailed account of the methods of land expropriation currently used by the Israeli authorities:

> "The first method is the falsification of the dates of the confiscation orders. Palestinian lawyers who defend Palestinians in cases of land confiscation, including lawyers from our Establishment, are always surprised to note that the confiscation orders bear dates that go back 10 years. (There are exceptions, like for example one case of confiscation in the area of the Prophet Nabi Samuel, where the military order was issued declaring that land as land pertaining to the State.) The objective behind this measure is to make the international and the local public opinion think that the confiscation goes back to the time of the Likud Government.
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> "The second method used is the security recourse, when for instance settlements are encircled or are considered as land to be surrounded by a network of roads. These so-called ring roads or security roads call for the building of new roads around and between the settlements, to serve these settlements and connect them with each other, avoiding Palestinian areas. This makes it difficult for the Palestinians, especially when they live in overcrowded areas, to connect with one another in those suburbs or

areas. The building of those roads constitutes today one of the most dangerous forms of land confiscation.

"Another method for confiscation is to use land for quarries. Israel has declared that it is going to confiscate large areas of the Palestinian land in order to use them as quarries, for example in the area of Kufur Labad near Tulkarm and the adjacent villages, Kalkiliya, Kufur Malek and Ramallah. Usually, those quarries are planted in the middle of residential and agricultural areas, as in Kufur Labad, or close to water areas, like in Kufur Meria, where we have got the wells of Ain Sinya, which provide Ramallah and Arab Jerusalem with water. In this area, source of drinking water, the setting up of quarries could cause a great deal of damage to the environment and could also affect the water sources themselves, because of the dust and the explosions which are constantly taking place in the area.

"The fourth method of land confiscation is through the pretext of protection of natural reserves. Now and again, the Israeli authorities declare the confiscation of an area to become a protected natural reserve. Some of these lands belong to the State, but some of them belong to people.

"There is another plan of confiscation, called the Shahal plan and drawn by the Minister of Police, Mr. Shahal. It is a unilateral plan pushing forward the frontier of the Green Line into the occupied territories. Palestinian experts estimate that surface to amount to 11 per cent to 20 per cent of the total area of the West Bank.

"The sixth method of land confiscation takes place through the use of structural plans. Now and again, the Israeli authorities propose structural building and urbanization plans in order to build inside the Palestinian villages, invoking in their decisions two plans that had been drawn up under the British mandate. One is known as S5 and concerns the north of the West Bank, the other is called GR5 and concerns the south of the West Bank." (Mr. Sami Abdel Rahman Mohsen Hashish, witness No. 17, A/AC.145/RT.673)

600. At the request of the members of the Special Committee, Mr. Hashish provided the following explanation with regard to compensation and confiscations by military order:

"As to compensation, there is a refusal, in principle, on the part of the Palestinians to ask for compensation for the confiscation of land, or the uprooting of trees. They do not ask for compensation at all. What they would like is that the question be treated as a matter of principle, because it is a national issue.

"If the confiscation is the result of a military order, the court does not take any action thereon. The court itself considers that the confiscation has been carried out for security purposes and it would therefore not intervene at all in cases connected with state security in the occupied territories." (Mr. Sami Abdel Rahman Mohsen Hashish, witness No. 17, A/AC.145/RT.673)

601. Mr. Awad Issa Awad Mansour, researcher at the Palestine Human Rights Information Centre, provided the Special Committee with a very detailed description of the reasoning behind the Israeli policy of annexation and settlement:

> "With regard to settlement construction in and around Jerusalem, in 1993, the Israeli Government reformulated its settlement construction plan and packaged it as a development plan for Israelis, regardless of whether it was inside Jerusalem proper or in the West Bank. The concept was that the bulk of construction, of actual building construction, would not be done by the Government, but by private construction companies, Israeli firms, while the basic services such as infrastructure, like roads, electricity, water and supplies to those new sites, would be allocated by the Israeli Housing Ministry. The poorer sections of the West Bank were designated as particular zones, zone A and zone B, the Jerusalem area being a special case. The plan also provided that settlers who wanted to live there were entitled to particular services according to particular categorizations of the kind of benefits they would get. Again, this is another form of specialization on the part of the Israeli Government, dividing the bulk of settlement construction, most of the projects being designed to have a time-frame of three to five years, which is the time of the peace process.
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> "This expansion is designed to isolate the horizontal expansion of Palestinian constructions in those areas.
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> "Construction continues, regardless of the peace process, because, from the Israeli perspective, the status of Jerusalem is not negotiable until its time comes - and the final status negotiations are expected next year. Therefore, the confiscation and annexion of territory in and around Jerusalem are part of the Israeli plan to maximize their control, and construction, and population number of Israeli settlers in and around Jerusalem, so that even if what would be proposed as a democratic elected municipality, would be proposed against seemingly objective criteria, but the population and the number of the various Israeli neighbourhoods would have surpassed the number of Palestinian neighbourhoods and population, so that the decisions carried out by the municipality catering to the Israeli perspective of how Jerusalem should be, will carry through, irrespective of what one perceives as the outcome of negotiations. This is why Jerusalem, in these past three years, has faced unprecedented settlement construction, in comparison to the whole period of occupation since 1967. This is done with the approval and the encouragement of the government, so as to maximize the Israeli and particularly the Jewish perspective of what Jerusalem should be, of who should have access to it and who should be living in it." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

602. Mr. Mansour described what this policy would entail in particular for villages around Jerusalem:

> "The concept of Greater Jerusalem is very real in terms of what the Israelis call Greater Jerusalem, which takes up a large chunk of the West

Bank, the settlement areas but not the Palestinian villages in that area. The Palestinians in these villages, who see themselves being surrounded by settlements, wonder what their status is, if they are supposed to be West Bankers within Greater Jerusalem, but are not being treated as equal, since residents of Jerusalem are suffering from the discrepancies of the municipal and Israeli policies. Ask residents in the villages surrounding Jerusalem - we are nine villages around Jerusalem - we will be cut off from all areas and will become encampments. With the increased shortage of houses for our generation and the generation to come and coming to the problem that when it becomes so concentrated, you cannot move and your reality is a reality which you experience inside and not what you experience in a factual way every day, one really wonders what the outcome will be." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

603. Mr. Fouad Issa Abu Hamid, field researcher at the B'tselem human rights organization, spoke to the Special Committee about the situation regarding the expropriation of land since the Oslo Agreement, in particular in and around Jerusalem, and about the living conditions of some of its inhabitants:

"Finally, I shall speak about Jerusalem. In particular after the Oslo Agreement, Israel started to consequently implement a policy of fait accompli in regard to the City of Jerusalem, building ring roads around the City and making life quite difficult for the Arab population of the City of Jerusalem. All that is done in order to tip the scale when the time comes for the negotiations on the permanent future of Jerusalem.

"Recently, the confiscation of 530 dunums [132 acres] was announced, over and above all the land pertaining to Arab citizens that has been confiscated before. Only very little of Jerusalem land did belong to the Jews. Now, the construction of the buildings in the Har Homa settlement is about to start, as 1,850 dunums of land [462 acres] have been confiscated for that purpose, land that belongs to the village of Tsur Baher, one of the suburbs of the City of Jerusalem. In this village of Tsur Baher, 14,000 people live. They are facing housing problems. They are not allowed to build new houses, they are only allowed to add one single floor to existing buildings and they are not allowed to go beyond the structural plan that has been drawn up by the municipality, whereas the Jewish inhabitants who live on the same land of this village are allowed to build up to eight or nine floors. Instead of solving the housing problem in this village, they come and confiscate the remaining land of the village in order to house and settle Jewish citizens! But the Arab citizen of Jerusalem, if he needs to build a house or an extra floor, he has to get out of the City!

"Of course, that is the objective of the Israeli policy in the City of Jerusalem.

"So, approximately 20,000 of the Arab inhabitants of Jerusalem have been compelled to leave the City, because there is no room for them to live inside the City.

"Since the beginning of the occupation of the City of Jerusalem, 64,800 housing units have been built for Jewish citizens, whereas only 8,800 housing units were built for Arab citizens by the Palestinians themselves. The Ministry of Housing did not help them with the building of those.

"According to statistics, Jewish families live at the rate of 1.1 person per room, whereas the Arabs live at the rate of 2.2 persons per room, that is to say that the housing problem among the Arabs is double the housing problem among the Jews.

"The objective of Israel today is to contain the eastern sector of the City of Jerusalem through a network of roads and settlements and to isolate it.

"The Jewish citizen has at his disposal 17.8 square metres of allocated housing space, whereas the Palestinian citizen enjoys 8.7 square metres.

"So, overcrowding is doubled. In order to solve the housing problem for the Arabs of Jerusalem, we would need 20,000 housing units immediately. In Jerusalem, 160,000 Arab inhabitants live and they constitute one third of the population of the City. More than one third of the land has been confiscated in Eastern Jerusalem since 1967, amounting to 23,500 dunums [5,875 acres].

"Before 1967, there was not one single Jew in the eastern sector of Jerusalem. Today, there are 160,000 Jews in the eastern sector of the City. There are large sectors of the City that have been built for Jews in the eastern part and east of the City, so much so that every Arab suburb has got right alongside itself two large Jewish sectors. In the Old City of Jerusalem and close to Al-Aqsa Mosque, there is a Jewish quarter and it is a very large one. So, there are restraints imposed on the Arabs as far as building is concerned in order that they cannot expand even inside the City. The Israeli authorities, as represented by the municipality of Jerusalem, keeps in mind the policy of "1 to 3": 1 for the Arabs and 3 for the Jews. This is the proportion that is being maintained in all planning and building projects for the City. They do not grant the Arab citizens any privileges beyond this ratio of 1 to 3 and whoever faces a housing problem has got to leave the City. They do not say it clearly and blatantly, but that is the content of the policy that they are implementing.

"A large percentage of the Jewish inhabitants of Jerusalem come from different countries. The largest number of these people came from Russia in the 1990s. They came from Ethiopia also. In fact, the authorities do grant privileges, and quite good ones, to the Israeli citizens in order to incite them to live in the eastern part of the City. They are encouraged to do that.

"There is a settlement near the village of Tsur Baher that we mentioned earlier. It is in an area where the United Nations headquarters

are. It overlooks the City of Jerusalem and the living standard in this part of the City is one of the highest even in comparison with Israel as a whole. Services are excellent in that area. People living there are considered to be privileged because everything is available. A great deal of money is spent on this area, even at the expense of the Palestinian taxpayers, as all Arab citizens in Jerusalem pay taxes to the City of Jerusalem without really getting the services that they need. The village of Tsur Baher has been existing for 200 years and the Jewish quarter next to it was built in 1975 only, but this residential quarter enjoys many more services and privileges than Tsur Baher." (Mr. Fouad Issa Abu Hamid, witness No. 8, A/AC.145/RT.669)

604. A witness provided the Special Committee with information concerning the evolution of the situation of settlements in the Gaza Strip:

"As far as the settlements in the Gaza Strip are concerned, attempts have been made to expand some settlements and to take over a number of roads adjacent to the settlements, especially in the case of the Netzarim settlement. But there has been no establishment of new settlements inside the Gaza Strip, nor a dismantlement of any existing settlement. However, we have noticed that the number of settlers living in those settlements has diminished, especially at night. In other words, there are fewer settlers living in the settlements. They are afraid now to spend the night in the settlements." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

605. A witness described the situation concerning settlements in the Gaza Strip:

"There are no new settlements as such, but there are attempts to expand some of the existing settlements and to build a number of connecting roads. Also, there are attempts to take over some main roads in Gaza." (Dr. Omar Hassan Shehada, witness No. 3, A/AC.145/RT.667/Add.1)

606. The fieldwork coordinator of the Gaza Centre for Rights and Law provided the Special Committee with the following information concerning annexation and settlement:

"There are 26 settlements and tourist areas. Those settlements are inhabited by 1,000 to 1,500 settlers. They control 35 per cent of the territory of the Gaza Strip. That is to say 1 million Palestinians live on 240 square kilometres, while the settlers live on 120 square kilometres. The settlers continue to harass the Palestinians.

"This is in addition to the question of water. The settlers utilize more water than we do for drinking purposes. The settlers, in particular in the area of Neveh Dekalim, continue to harass the inhabitants of the Al-Amal suburb in Khan Younis. In the settlement of Rafiah-Yam, the settlers have constructed a road and have dug the sewage system, destroying a water well belonging to the Palestinians in the area of Rafah.

"There are no new settlements, but there are expansions of former ones. To give you an example, I spoke to you about Rafiah-Yam, where they

have constructed a new road and, when building the sewage system, channelled it towards the Palestinian areas. On the road called Kussufim, the Israeli soldiers prevent the inhabitants from moving around after nine o'clock in the evening." (Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

607. The Special Committee received the following information concerning settlements in the Gaza Strip:

"Following the agreements, no changes have taken place, particularly regarding the settlers' behaviour and the settlements. As to the Israeli army, we do not see them any more, except in the so-called 'yellow' areas. Israel controls 35 per cent of the land in the Gaza Strip.

"The presence of the settlements is a focal point for tension. I will give you an example. Khaled Al-Katib was killed during a suicidal mission directed against the settlers. In retaliation, roads were closed. Therefore, it is clear that settlements are cause for tension.

"Rafiah-Yam is a small settlement, in the south of the Gaza Strip. The settlers there evacuate their sewage water to the Palestinian areas. This means an increase of illnesses to the detriment of the inhabitants in the area and the pollution of a water well, water well number 39. Also, the settlers provoke the Palestinians in the Mawassi region in Khan Younis by preventing the farmers from reaching their fields."
(Mr. Ibrahim Khamis Shehada, witness No. 7, A/AC.145/RT.668)

608. Mr. Awad Issa Awad Mansour, researcher at the Palestine Human Rights Information Centre, spoke to the Special Committee about the closure and its lack of repercussions on settlements:

"When the closure was imposed two years ago, on 13 March 1993, one of the security pretexts given by the Israelis was that it would separate the Palestinians from the Israelis and protect the Israelis from the Palestinians, and therefore the concept of border. But it means that the Israeli settlements are intact and the closure does not affect them. It only affects the Palestinian population, even within the new enclaves of settlements." (Mr. Awad Issa Awad Mansour, witness No. 9, A/AC.145/RT.670)

609. Accounts of the annexation and settlement policy pursued by the Israeli authorities in the occupied territories may be found in documents A/AC.145/RT.667/Add.1 (Dr. Omar Hassan Shehada), A/AC.145/RT.668 (Mr. Ibrahim Khamis Shehada), A/AC.145/RT.669 (Mr. Fouad Issa Abu Hamid), A/AC.145/RT.670 (Mr. Awad Issa Awad Mansour) and A/AC.145/RT.673 (Mr. Sami Abdel Rahman Mohsen Hashish).

Written information

610. On 7 April, according to the Arab Studies Society, which is based in Jerusalem, a group of caravans housing Ethiopian immigrants in Givat Ha-Matos, south of Jerusalem, was being transformed into a new settlement. The Society

stated that the Israeli authorities planned to build 3,600 housing units on land east of Beit Safafa. (The Jerusalem Times, 7 April)

611. On 9 April, Housing Minister Binyamin Ben-Eliezer presented the ministerial committee on settlements with plans to build more than 5,000 new housing units in settlements around Jerusalem. PLO Chairman Yasser Arafat denounced the plan as a "flagrant violation of the peace agreement", while Cabinet officials in the Palestinian Authority announced that building the housing units would "kill" the peace process. (Jerusalem Post, 9 April)

612. On 13 April, the residents of Araba and Ija villages held a meeting to find a way to block the Government of Israel's decision to confiscate 130 dunums of land (32 acres) from the two villages in order to build a dumping ground. A similar meeting was held in the village of Al Jib, where Israeli bulldozers had started work on Palestinian land in order to build a bypass road around the Jabat Zaev settlement. Landowners affected by the building of the road have set up a committee for the defence of their land. (Al-Tali'ah, 13 April)

613. On 19 April, Palestinian notables in Hebron revealed that settlers had begun work on a new settlement in the town, to be dedicated to the two settlers who were killed in the bus attack on 20 March. (The Jerusalem Times, 21 April)

614. On 21 April, it was reported that 84 acres of Palestinian-owned land had been seized with a view to expanding the Ramot settlement near Jerusalem. (The Jerusalem Times, 21 April)

615. On 27 April, it was reported that the Government had published expropriation notices for some 530 dunums of mainly Arab-owned land (132 acres) in East Jerusalem. The expropriation, aimed at building housing units for Jews and a police station, was described as the first large-scale confiscation of Arab-owned land in East Jerusalem since 1980, when some 1,000 dunums (250 acres) were expropriated for the construction of the Jewish neighbourhood of Pisgat Zeev. The confiscation concerned 335 dunums (83 acres), owned mainly by the Arab residents of Beit Hanina, and 200 dunums (50 acres), nearly all of which are also Arab-owned, near Beit Safafa. Deputy Mayor Uri Lupoliansky stated that the expropriation of land in East Jerusalem was the first stage of a larger expropriation plan, which, according to Mr. Lupoliansky's previous statements and other municipal sources, included the confiscation of an additional 4,400 dunums (1,100 acres). (Ha'aretz, 27 April; Jerusalem Post, 28 April)

616. On 27 April, it was reported that four Palestinian villages, namely, Aksa, Beit Ajaza, Beit Daku and Beit Anan, were included in the structural plan concerning the settlement of Jabat Zaev. The plan, which covers 54 square kilometres, also includes most of the land belonging to the villages of Beit Hanina, Beir Nabala, Al Jib, Beit Surik and Bedw. (Al-Tali'ah, 27 April)

617. On 28 April, it was reported that the Judea and Samaria Higher Planning and Construction Committee had submitted for approval a plan to build 1,159 housing units and 26 public buildings on 394 dunums of land (98 acres) in the orthodox Jewish settlement of Emmanuel in Samaria. In another development, the political secretary of the Peace Now movement reportedly sent a telegram to Prime Minister Yitzhak Rabin stating that the residents of the Naaleh settlement, which is

located in the Ramallah area, intended to begin the accelerated construction of 200 housing units, which would be completed in the summer. (Ha'aretz, 28 April)

618. On 28 April, the Israeli authorities decided to confiscate 530 dunums of Arab land (132 acres) in Beit Hanina and Beit Safafa with the aim of building new settlement units. The 5 acres in Beit Safafa would be used for the new settlement of Har Homa, to be composed of between 7,000 to 9,000 housing units. Its structural plans were approved on 30 April 1995 by the Jerusalem Municipality. According to Israeli sources, this decision was part of a larger plan to confiscate 4,400 additional dunums of land (1,100 acres) in Jerusalem in order to expand the Gilo and Jabat Hamatus settlements. (Al-Tali'ah, 4 May; The Jerusalem Times, 5 May)

619. On 30 April, a government-controlled committee for expediting construction unanimously approved the first stage of construction of a Jewish settlement at Har Homa. The plan included the building of some 2,500 housing units. An additional 6,500 units were planned for later stages. (Ha'aretz, Jerusalem Post, 1 May)

620. On 30 April, Absorption Minister Yair Tzaban stated that out of the 70,000 dunums of land (17,500 acres) in what was the Jordanian-occupied Jerusalem, Israel had expropriated 23,000 dunums (5,750 acres) of mainly Arab-owned land on which some 35,000 apartments had been built for Jews but not a single one for Arabs. (Jerusalem Post, 1 May)

621. On 30 April, the Al-Bireh city council, together with 14 land-owners, appealed to the High Court of Justice in order that it rescind an expropriation order issued by OC IDF in the West Bank for the construction of a 7.5 kilometre-long road "for military purposes". The petitioners claimed that the road, to be built on land owned by the Al-Bireh, Akkab, Burka and Mahmas localities, was clearly meant for settlers' traffic. They also charged that the road, which was already under construction, would have a negative impact especially on the residents of Al-Bireh since it would pass through the site of a sewage and draining facility that the municipality was putting up. It was reported that at the beginning of the infrastructure work, workers damaged a drainpipe leading to a purification plant and caused its flooding by sewage water, which posed a serious sanitary hazard. (Ha'aretz, 1 May)

622. On 2 May, a spokesman for the Council of Judea, Samaria and Gaza confirmed that dozens of homes had been sold and occupied in the territories over the previous months. The spokesman refused to say exactly how many apartments had been sold, but stated that in addition to the Psagot settlement, which is located a few metres from Al-Bireh, and Mitzpe Yericho, apartments had also been sold in the Omarim and Livne settlements, located in the Hebron Hills; in Beit Horon, which is located north of Givat Zeev; and in the Alei Zehav and Peduel settlements, which are located in Samaria (northern West Bank). Meanwhile, a Binyamin council spokesman confirmed that there were plans to build in the course of the following months some 200 housing units in the settlement of Naaleh, which is located a few kilometres east of the Green Line near Modi'in. (Jerusalem Post, 3 May)

623. On 2 May, Ehud Olmert, the Mayor of Jerusalem, stated that he wanted to increase the proportion of Jews in Jerusalem, which he described as a "Jewish city". Olmert revealed that he was actively trying to attract Jews to the City. He said, however, that the City also intended to build housing for Arabs but added that he did not want to develop the City so that hundreds of thousands of Arabs would be able to come and live there. Mr. Olmert's statement was made in response to growing criticism over the Government's decision to expropriate mainly Arab-owned land in Jerusalem for Jewish housing development. (Jerusalem Post, 3 May)

624. On 2 May, the Israeli authorities started levelling work on 32.5 acres of agricultural land confiscated on 9 April from the villages of Arraba and Ijja, in the Jenin area. Several hundred acres had been seized from other villages in the area a few weeks earlier. Residents of those areas had protested to the military court, but had received no ruling to date. Meanwhile, it was reported that settlers from nearby Shakid settlement had already begun to open new roads and had annexed some of the land to their settlements. In a separate development, the Israeli authorities prevented the residents of Beit Furik, near Nablus, from going to their fields after declaring the land a closed military area for one month. (The Jerusalem Times, 19 May)

625. On 4 May, it was reported that the Israeli authorities had closed off 3,000 dunums of land (750 acres) in the village of Al Maghir, in the Ramallah district. The closure was based on military order S/2/95. In a separate development, residents of the village of Sur Baher opposed an Israeli plan to build a new settlement in Ras Abu Ghoneim, in the Jerusalem area. The villagers pointed out that the construction of a settlement in the area would hinder the expansion of their own village. (Al-Tali'ah, 4 May)

626. On 9 May, Palestinian officials claimed that the 40-dunum plot earmarked for the building of the United States Embassy in Jerusalem was Arab-owned land. The officials dismissed recent statements by Jerusalem municipality officials that the land, located at the Allenby Camp, belonged to the Israeli Land Administration. Waqf Director Adnan Husseini stated that the land belonged to the Muslim Land Trust and that he had documents to support his claim. (Ha'aretz, Jerusalem Post, 10 May)

627. On 9 May, Jerusalem Deputy Mayor, Shmuel Meir, announced, while on a tour of East Jerusalem, that a new Jewish neighbourhood consisting of 400 housing units and a hotel would reportedly soon be built on dozens of dunums of land that had been purchased near and encroached on the Jabal Mukhbar village, which is located near the Jewish neighbourhood of Arnon Hanatziv. Mr. Meir also declared that plans for the construction of other Jewish neighbourhoods in the eastern part of the City would soon be made public. (Ha'aretz, 10 May)

628. On 9 May, some 200 Jews and Arabs staged demonstrations in Beit Safafa to protest against the recently issued confiscation orders concerning some 200 dunums of land (50 acres) belonging to 15 families from Beit Safafa and the adjacent village of Shuafat. The expropriations were reportedly meant for the construction of the headquarters of the Jerusalem police and of several hundred housing units. Similar demonstrations were held on 20 May. (Ha'aretz, 10 May; Jerusalem Post, 21 May)

629. On 9 May, it was reported that the Israeli authorities had ordered the closure of more than 10,000 dunums of cultivated land (2,500 acres) in the villages of Kharas, Nuba, Beit Ula Surif and Turkumiya, all of which are located in the Hebron area. According to an Israeli officer in charge, the closure orders were valid for three months. (Al-Tali'ah, 9 May; The Jerusalem Times, 19 May)

630. On 10 May, it was reported that the Jerusalem municipality, the Ministry of Housing and Construction and the Israeli Land Administration were considering plans to confiscate 800 dunums (200 acres) of mainly Arab-owned land located between the Pisgat Zeev and French Hill settlements in order to build thousands of additional housing units for Jews. The Ministry of Housing and the Jerusalem municipality were said to have considerably intensified their contacts with regard to the confiscation following pressure by Jerusalem Mayor Ehud Olmert and Deputy Mayor Shmuel Meir. (Ha'aretz, 10 May)

631. On 12 May, after an intervention by the Catholic Church, the Minister for Religious Affairs, Shimon Shetreet, declared that Israel had no intention of confiscating several acres of land near Bethlehem for the construction of a road belonging to the Karmisan Monastery, which is run by Salesian monks. He stated that other land would be expropriated for that purpose. The Minister's pronouncements came amid reports that the Civil Administration planned to confiscate some of the Monastery's land in order to construct a road that would lead from the Jerusalem neighbourhood of Malcha to the Har Gilo settlement, which is located in the vicinity of the Monastery. (Ha'aretz, 12 and 14 May; also referred to in The Jerusalem Times, 19 May)

632. On 15 May, it was reported that as part of its redeployment scheme, the IDF would confiscate more than 40 dunums (10 acres) of land in the West Bank in order to construct three bypass roads. The roads, which would pass through Palestinian-owned land in the Ramallah, Nablus and Jenin areas, were said to be meant for the traffic of soldiers and Israeli citizens. Some of the roads would pass through farm land and populated areas. (Ha'aretz, 15 May)

633. On 16 May, some 200 people representing the majority of the political factions and community centres in the Gaza Strip staged a demonstration at the Netzarim junction to voice their opposition to both settlements and the confiscation of land in Jerusalem. (Ha'aretz, 17 May)

634. On 19 May, it was reported that as part of its redeployment scheme in the West Bank, the IDF had started to confiscate some 1,000 dunums (250 acres) of Palestinian-owned land for the construction of roads in the area. Senior IDF sources stated that the roads would lead mainly to settlements. Listed below are the roads to be constructed:

- Jenin bypass (6 kilometres)
- Solomon-Nah'liel road (7.5 kilometres)
- Abud bypass (9 kilometres)
- Ras Harhur-Na'aleh road (6.5 kilometres)

- Gilo-Jerusalem road (2.5 kilometres)
- Hulhoul bypass (13 kilometres)
- Allon Moreh-Mehura road (12 kilometres)
- Ramallah bypass (4.5 kilometres)
- Psagot-Kokhav Ya'acov-Adam road (7.7 kilometres)
- Beit Hagai-Har Manohach road (5.7 kilometres)
- Tulkarm bypass (14.6 kilometres)
- East Ramallah bypass (11 kilometres)
- Elazar-Har Gilo road (10.5 kilometres) (Ha'aretz, 19 May)

635. On 23 May, a day after the Government had shelved its plans concerning land expropriation plans in Jerusalem, the Jerusalem District Planning Committee approved the Har Homa project in south-eastern Jerusalem. The project envisages the construction of some 6,500 housing units on approximately 1,850 dunums (462 acres) of land, which are said to have been expropriated from mostly Jewish owners four years before. (Jerusalem Post, 24 May)

636. On 24 May, the Land and Water Establishment for Studies and Legal Services noted that the Israeli Planning and Construction Committee in Jerusalem had approved a structural map providing for the building of 6,500 housing units on 1,850 dunums (462 acres) of land in Jerusalem. The housing units were to be built in Sur Baher, on the Jebel Abu Ghoneim, with the aim of creating a Jewish quarter called Har Homa. According to the spokesman of the Israeli Ministry of the Interior, the freezing of the confiscation decision did not include Har Homa. (Al-Tali'ah, 25 May; The Jerusalem Times, 26 May)

637. On 25 May, it was reported that in a television broadcast, the Mayor of Jerusalem, Ehud Olmert, called for the confiscation of some 1,000 dunums of Arab land (250 acres) located in the eastern and southern parts of Jerusalem. (Al-Tali'ah, 25 May)

638. On 26 May, several hundreds of Palestinian and Jewish demonstrators gathered in the East Jerusalem village of Umm Tuba to protest against the Government's decision to build a new Jewish neighbourhood on land located in Jabal Abu Runa'im. In a statement pronounced at the village football stadium, Faisal Husseini, the Palestinian Authority's adviser on Jerusalem, stated that the continuation of such a policy would mean "killing" the peace process. (Ha'aretz, 28 May)

639. On 2 June, it was reported that as part of a move to counter Israeli claims to land in East Jerusalem, Palestinian officials were in the process of gathering documents to back their claims to most of the land in West Jerusalem. Khalil Tufakjeh, an official of the Jerusalem-based Palestinian Geographic Centre, indicated that PLO official Faisal Husseini had made a low estimate when

he stated that 70 per cent of West Jerusalem was Arab-owned land. Mr. Tufakjeh explained that Mr. Husseini had included in his estimate only land that was part of West Jerusalem immediately after the 1948 Armistice and claimed that if the land annexed west of the City had been included, the area of Arab-owned land in the City would amount to more than 80 per cent. (Jerusalem Post, 2 June)

640. On 5 June, the Latroun villagers committee organized a "March of Return" in Beitunia. Their intention was to draw attention to the case of 10,000 villagers from Imwas, Yalo and Beit Nuba who had been expelled from their homes by the Israeli army in June 1967. The Latroun villages are located about 25 kilometres north-west of Jerusalem. The march was halted by the Israeli army after the protesters had walked 200 metres. (The Jerusalem Times, 9 June)

641. On 8 June, it was reported that the Land and Water Establishment for Studies and Legal Services had filed an objection with the District Committee for Planning and Construction in the City of Jerusalem against the eastern circular road planned to be built around East Jerusalem. The projected road would imply the expropriation of about 1,070 dunums (267 acres) of land from various Palestinian villages. (Al-Tali'ah, 8 June)

642. On 13 June, some 250 Jews went to a slope outside the Samarian settlement of Barkan (northern West Bank), where dozens of settlers were occupying allegedly Jewish-owned homes, and declared themselves the founders of a new settlement, to be called Maaleh Yisrael ("Ascent of Israel"). Aharon Domb, the spokesman for the Council of Jewish Settlements in Judea, Samaria and Gaza, announced that the purpose of the operation and similar ones that, he revealed, were scheduled for the following weeks, was to stake a claim to all Jewish property as well as historical and archaeological sites so that the Government did not give them to terrorists. Dozens of policemen and IDF soldiers poured into the area soon after the settlers had arrived, but apart from issuing NIS 160 parking fines for cars parked on the highway kept a low profile. (Jerusalem Post, 14 June)

643. On 18 June, the Council of Jewish Settlements in Judea, Samaria and Gaza broke a "security" road near the Hashmona'im settlement. Residents from the village of El Middia arrived at the site and lay on the ground in an attempt to stop bulldozers from continuing work, said to be carried out within the framework of the Council's "Israel First" campaign. The security forces, who arrived on the scene in the morning, ordered work to be halted. However, in the afternoon the settlers resumed work unhindered, with IDF soldiers pushing and shoving back several dozen Palestinians who were trying to disrupt the operation. (Ha'aretz, 19 June)

644. On 19 June, settlement activists inaugurated a secretly built road linking a number of settlements in the Judean Desert, thus creating one settlement bloc. The 7-kilometre dirt road, which was said to have been built over the previous four months, linked the Anatot settlement to the settlements of Kfar Adumim, Nofei Prat and Alon. Pinhas Wallestein, the head of the Binyamin regional council, stated that the road was just one of at least 10 such roads that were being constructed in the region. Mr. Wallestein explained that the idea was to create settlement blocs so that - like Gush Katif - they would remain outside Palestinian autonomous areas. The Civil Administration made no comment on the

subject and referred inquiries to the Samaria and Judea district police. (Ha'aretz, Jerusalem Post, 20 June)

645. On 20 June, settlement activists inaugurated - for the second day in a row - a secretly built 2-kilometre road linking the Karnei Shomron settlement to a road near the Emmanuel settlement. In addition, some 150 settlers started to fence off some 70 dunums (17 acres) of State-owned land located near the road. The wave of clandestine road-building had led the Civil Administration to use a helicopter to detect where the building was taking place. The helicopter landed near bulldozers working on a road linking the Talmon A to the Talmon B settlement in Samaria. Workers on the site refused to stop work because the inspectors did not have the orders needed to stop the operation. A Civil Administration spokesman stated, however, that an order to stop work on the road had been issued to the Binyamin regional council at the beginning of the week. (Ha'aretz, Jerusalem Post, 21 June)

646. On 27 June, the Council of Jewish Settlements in Judea, Samaria and Gaza continued its "Israel First" campaign with the paving of new roads, the fencing off of State-owned land near settlements and the destruction of fences separating settlements from adjacent land in the West Bank. Work was reportedly carried out in the settlements of Beit Horon, Beit El, Teqo'a, Mitzpeh Yericho, Kohav, Maaleh Hever and Otniel. A clash broke out between settlers and Palestinians in Beit Horon. During the confrontation, an elderly Palestinian fainted when he and other Palestinians from the area tried to stop bulldozers from continuing work. The IDF intervened and separated the two sides. The Civil Administration subsequently issued an order for the work to be stopped, but it was ignored by the settlers. Work was halted an hour later, but the Council of Jewish Settlements in Judea, Samaria and Gaza announced that it would resume the following day. The chief of the Council's Operations Branch stated that the work was aimed at creating facts on the ground and to strike a match in the hope that it would ignite a flame, which, in turn, would light a fire. He added that the Council hoped that its actions would create a snowball effect that would sweep people with it until the Government was replaced. (Ha'aretz, 28 June)

647. On 27 June, a tractor repaired a road in the Beit El settlement that had been destroyed by the Civil Administration two years earlier. The repaired road provided the settlement with a second link to the Jerusalem-Nablus road. (Jerusalem Post, 28 June)

648. On 28 June, the Council of Jewish Settlements in Judea, Samaria and Gaza continued its "Israel First" campaign. As part of the campaign, some 40 settlers started to fence off some 100 dunums (25 acres) of land north-west of the Avnei Khefetz settlement. A hand-to-hand fight broke out between the settlers and Palestinians from the village of Paron who claimed that the land was theirs. Another more violent clash occurred at the site later in the day. In the Shaked settlement, settlers fenced off some 100 dunums (25 acres) of land located in the vicinity of the northern outskirts of Jenin. In the Brakha settlement near Nablus, settlers started to build a fence around an area of 70 dunums (17 acres), which they claimed fell within the settlement's legal master plan. Road-construction operations continued in the Mitzpeh Yericho and Kohav Hashahar settlements, while other extensive road-construction operations

began on 1,000 dunums (250 acres) of "State-owned land" in settlements located in southern Har Hebron. This included the settlements of Karmel, Maon, Yatir and Omarim. (Ha'aretz, 29 June)

649. On 6 July, settlers from Kedumim moved two mobile homes from the settlement to a nearby unpopulated hill. The police decided not to remove the mobile homes for the time being. On the other hand, they prevented settlers from bringing three additional trailers to the site. (Ha'aretz, Jerusalem Post, 7 July)

650. On 9 July, security forces and the residents of Kabatiya village clashed on land designated for the construction of the liaison bureau of the IDF in the Jenin area. The landowners claimed that groundwork on 23 dunums (5 acres) of farm land located 4 kilometres south-east of Jenin had begun without giving them sufficient time to petition the High Court of Justice. The confrontation reportedly started when IDF troops tried to evacuate the protesters who retaliated by throwing stones, slightly injuring one Border Policeman. Additional security forces were dispatched to the area, bulldozers removed three tents pitched by the protesters and work resumed. One demonstrator was arrested. (Ha'aretz, 7 and 10 July)

651. On 9 July, Jenin landowners staged a demonstration at Dahiyat Al Shudada in order to protest the confiscation of their land for redeployment purposes. Landowners stated that the Israeli army had decided to confiscate their land in order to build offices for the Joint Palestinian-Israeli Liaison Committee. (The Jerusalem Times, 14 July)

652. On 10 July, it was reported that the inhabitants of a number of settlements had recently embarked on a campaign designed to attract new residents to the territories. Among the settlements that took part in the campaign were Psagot, located near Al-Bireh and Ramallah; Revava, located east of the villages of Bidia and Karawat Bani Hasan; and Emmanuel, located north of Revava. It was reported that 4 families had moved to Revava in June, thus raising to 39 the number of Jewish families living there, while 15 new families were scheduled to move to Psagot, which already housed 150 families. In addition, the inhabitants of the Emmanuel settlement were planning to launch a campaign aimed at selling 50 new apartments in the settlement. (Jerusalem Post, 10 July)

653. On 13 July, Prime Minister Yitzhak Rabin authorized the transfer of 20 mobile homes to Givat Hazayit, which is located next to the Efrat settlement. On 17 July, settlers moved six mobile homes to a barren hill in the Efrat settlement. The head of the Efrat local council, Yinon Ahiman, announced that the remaining homes would be transferred to the site in the course of the following days and added that permanent construction of some 300 apartments on the site would begin in a couple of weeks. Mr. Ahiman explained that the Council wanted to move the mobile homes quickly because some of the people who had bought homes there needed a place to live in while their homes were under construction. (Ha'aretz, 14 July; Jerusalem Post, 18 July)

654. On 16 July, settlers from Kiryat Arba occupied 18 vacant apartments in Ashmoret Yitzhak, which is located next to the settlement. The move was reportedly aimed at staking a claim on the area prior to the IDF's redeployment in the West Bank. (Ha'aretz, 17 July; Jerusalem Post, 18 July)

655. On 20 July, a group of 75 settlers from Efrat, made up mainly of women and children, put up tents on a hill adjoining the Palestinian village of Artas, in a bid to stake a physical claim on the land in order to prevent it from being relinquished to the Palestinians as part of the second phase of the Oslo Agreements. On 23 July, settlers expanded their encampment by pitching on the hill called Givat Hadagan an additional 13 tents, a makeshift synagogue and a dining room, as well as two mobile toilets, a water tank and a power generator. On 26 July, some 1,000 settlers from Efrat and other Gush Etzion settlements defied evacuation orders and brought tractors to the hill in order to begin work on permanent housing at the site. On 30 July, three residents of the village of Al Khedr, which is located near the Efrat settlement, petitioned the High Court of Justice against the occupation of the hill by settlers. On 31 July, hundreds of policemen, Border Policemen and soldiers evicted hundreds of settlers from Givat Hadagan and tore down the tents and structures that the settlers had erected there. Some 213 settlers were arrested but were released the same evening after the sun had set. In a related development, hundreds of settlers streamed into Beit El later in the day to stake a claim on an empty hill and turn it into Givat Hadagan No. 2. Meanwhile, dozens of settlers managed to reach two other hills near Givat Hadagan. (Jerusalem Post, 21 July; Ha'aretz, 24 July; Ha'aretz, Jerusalem Post, 26, 27 and 31 July and 1 August)

656. On 21 July, it was reported that 18 Jewish caravans had been set up on the property known as Harikat Al Bussah, which belongs to the villagers of Al Khedr. The Government of Israel had authorized the construction of 268 homes on the hilltops in order to expand the settlement of Efrat on the land of Al Khedr village. A spokesman for Prime Minister Rabin's office stated that 30 caravans were to be installed as the nucleus of a new neighbourhood in Efrat. (The Jerusalem Times, 21 July)

657. On 25 July, bulldozers began ground work for the construction of the Jenin bypass under heavy military guard. The Palestinians whose land had been confiscated for the building of the road stated that many tons of agricultural produce, most of it almost ready for picking, had been destroyed during the ground-levelling work. (Ha'aretz, 26 July)

658. On 25 July, Prime Minister Yitzhak Rabin told a delegation of parliamentarians from the religious parties that Israel would retain complete control over Rachel's Tomb. Mr. Rabin also stated that a new road leading to the site from the Gilo settlement would be built and would be entirely in Israeli hands. (Jerusalem Post, 26 July)

659. On 1 August, some 105 settlers from the Efrat settlement and another 100 settlers from the Beit El settlement were arrested when the police, the Border Police and IDF soldiers evacuated hundreds of settlers from Givat Hadagan and Har Atris (West Bank). (Ha'aretz, Jerusalem Post, 2 August)

660. On 2 August, some 800 settlers set up an encampment on a hill located 2 kilometres north of the Kedumim settlement. Settlers pitched tents and placed a generator and water tanks on the hill and prepared bracing themselves for an attempt by the army to evacuate them. Meanwhile, some 400 settlers returned to occupy Har Atris, near the Beit El settlement. Numerous police and army forces evicted thousands of settlers who had returned to Givat Hadagan after being

removed from the same hill the previous day. Some 120 settlers were arrested. (Ha'aretz, 3 August)

661. On 3 August, it was reported that works for the building of several bypass roads had started in the areas of Tulkarm, Jenin and Nablus, dividing the northern part of the West Bank into three parts. Levelling work was also reported on 20 dunums of land belonging to the town of Kabatiya, with the aim of setting up an Israeli military camp. (Al-Tali'ah, 3 August)

662. On 4 August, it was reported that the decision to confiscate the land around the house in which a kidnapped Israeli soldier, Nachshon Wachsman, was killed had been cancelled. Wachsman was kidnapped by Hamas activists in October 1994. Both Wachsman and his kidnappers were killed when the Israeli army attacked the house in an attempt to rescue him. (The Jerusalem Times, 4 August)

663. On 6 August, scores of anti-government protesters climbed a hill near Nebi Samwil, on the outskirts of Jerusalem, staking a claim to what they argued was State-owned land, while hundreds of settlers from Beit El claimed their right to occupy a hill located north-west of their settlement. (Ha'aretz, Jerusalem Post, 7 August)

664. On 6 August, it was reported that the IDF had announced the confiscation of an additional several hundred dunums of Palestinian-owned land in the West Bank for the construction of bypass roads. The expropriations included 240 dunums of land located south of Jenin and several hundred dunums in the vicinity of the Palestinian villages of Al-Bireh and Beitunia near Ramallah. (Ha'aretz, 6 August)

665. On 8 August, thousands of anti-government activists blocked roads and staked claims to some 15 sites in the territories, including hills located near the settlements of Givat Zeev, Kiryat Arba, Barkan, Maaleh Levonah, Ofra, Karnei Shomron, Shiloh, Kadim and Dolev. (Jerusalem Post, 9 August)

666. On 8 August, residents of the Palestinian village of Beit Omar near Hebron levelled with bulldozers a several hundred-metre-long fence that had been erected by Gush Etzion settlers around what was mostly farm land that the Palestinians claimed was theirs. In a separate development, residents of the village of Arrana near Jenin staged a protest rally for the fourth consecutive day against the confiscation of their land for the construction of the Jenin bypass. (Ha'aretz, 9 August)

667. On 9 August, the IDF cleared 2 of the 15 encampments that had been set up by settlers in the territories as part of the Zo Artzeno ("This is Our Country") campaign. The first encampment to be removed was located near the settlement of Karmi Tzur, on the Jerusalem-Hebron highway. Dozens of Palestinians (several hundred according to Ha'aretz) congregated at the site, which they claimed was private Arab land, and clashed with the settlers. Army reinforcements were called into the area. They separated the two sides and evicted the settlers. A similar confrontation occurred at another encampment near the Ofra settlement where the army had to separate hundreds of Palestinians from some 100 settlers who had clashed at the site. The settlers agreed to vacate the site but vowed

to occupy another hill in the vicinity. The IDF reportedly failed to act in a number of other encampments, such as the one located on a hill below Nebi Samwil, north of Jerusalem. Expansion work was under way. (Ha'aretz, Jerusalem Post, 10 August)

668. On 10 August, some 400 persons occupied Givat Hadagan near the Efrat settlement for the fourth time in just over a week. In other related developments, settlers ignored an eviction notice ordering them to move out of an abandoned Arab house they moved into two days earlier. One of the squatters was arrested when groundwork began near the house. In a similar development, settlers tried to move into an abandoned house in Hebron but were evicted forcibly by the Border Police. Other settlers were evicted from two encampments situated near Nebi Samwil and the Yitzhar settlement. The majority of the encampments, however, remained in place, including those which had been set up near the settlements of Neve Tzuf, Maaleh Habone and Shiloh, where groundwork operations were under way. This was also the case with those located near the settlements of Ganim, Shevut Rachel Dolev as well as other settlements in Samaria (northern West Bank). (Ha'aretz, Jerusalem Post, 11 August)

669. On 13 August, IDF troops evicted settlers from a number of hilltops which they had occupied in the West Bank. Among the encampments that were tore down or evacuated were those at Givat Hadagan, Karnei Shomron, Shiloh, Ofra, Neve Daniel, Ganim and Beitar. However, 10 other illegal encampments continued to exist, including those in the settlements of Mitzpeh Shmuel, where settlers started building four new homes, Neve Tzuf, where the army separated Palestinians and settlers, and Kiryat Arba, where settlers continued to occupy an abandoned house. Encampments also continued to exist in the settlements of Dolev, Talmon Alon-Moreh, Mahmesh, Elkanah, Maaleh Levonah and Shevut Rachel. (Ha'aretz, 14 August)

670. On 15 August, residents from within the Green Line set up a new encampment, Magen Dan, and started building a house on a hilltop near the Elkanah settlement in the West Bank. A spokesman for the Council of Jewish Settlements in Judea, Samaria and Gaza stated that 15 armed men were guarding the site. On 16 August, the settlers built another edifice on the hill and uprooted olive trees planted by Palestinians several weeks earlier. (Ha'aretz, 16 and 17 August; Jerusalem Post, 17 August)

671. On 16 August, additional land was reportedly confiscated throughout the West Bank for circular roads. One hundred and twenty-five acres of land in Rafah village were to be confiscated for a 3-kilometre road, while 500 additional acres of land were to be confiscated in the town of Beitunia for the paving of an 8-kilometre circular road. (Al-Tali'ah, 17 August; The Jerusalem Times, 18 August)

F. Information concerning the occupied Syrian Arab Golan

Oral evidence

672. In a statement delivered before the Special Committee at Damascus on 22 May, Mr. Taher Al-Husami, Director of the Department of International Organizations and Conferences of the Ministry of Foreign Affairs of the Syrian Arab Republic, referred to the situation in the occupied Syrian Arab Golan and stated in that connection:

> "Since the beginning of the occupation, the Israeli occupation authorities have promulgated legislative enactments to facilitate their annexation of land in the occupied Syrian Golan. All land that is not owned by individuals is regarded as being the property of the occupation authorities and all land and real estate owned by Syrian citizens whom those authorities themselves prevented from returning to their villages in the wake of the June 1967 aggression have been expropriated by the occupation authorities under the terms of the so-called Absentees' Property Law. The Israeli occupation authorities have also expropriated vast areas of Syrian-owned land on the pretext of security requirements and the public interest. In this way, the Israeli occupation authorities have seized 80 per cent of the total area of the occupied Syrian Golan, including land situated along the entire cease-fire lines and they have constructed more than 36 settlements, in addition to many military and paramilitary settlements, the number of which has not yet been ascertained.
>
> "The Israeli occupation authorities have seized control of Lake Ram, the largest area of water in the occupied Syrian Golan, as a result of which the villages in the occupied Syrian Golan are suffering from a severe shortage of drinking and irrigation water owing to the diversion of the waters of this Lake to the Israeli settlements to meet the needs of settlers and their agricultural and industrial projects in the occupied Syrian Golan.
>
> "The Israeli occupation authorities are imposing restrictions on the use of water in the occupied Syrian Golan. Water consumption in the occupied Syrian Golan is subject to the full control of the Israeli occupation authorities, who manage it in accordance with a quota system under which the annual per capita volume of water supplied to Syrian citizens amounts to no more than 120 cubic metres, while the settlers receive an annual per capita volume of 600 cubic metres. Moreover, Syrian citizens are charged $1.6 per cubic metre of water, while the settlers are charged only $0.6 for the same volume.
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> "Well-known human rights organizations have described the conditions of detention in Israeli detention centres as being below the humanitarian standard. These detention centres comprise cell blocks for solitary confinement where Arab detainees are subjected, in a systematic, coordinated and increasingly distressing manner, to material restrictions and psychological pressure for long periods of time during which they are denied visits by their lawyers and families. Cases of ill-treatment by interrogators and guards are not isolated occurrences; on the contrary,

they constitute a pattern that could not continue without the consent of the Israeli occupation authorities, particularly since the interrogation procedures that those authorities pursue are unclear and incompatible with the standards set forth in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Consequently, the Israeli occupation authorities should put an immediate end to the subjection of Arab detainees to assault, harassment and torture by interrogators and guards, and should take appropriate measures to rehabilitate and compensate all the victims of those practices and to release the persons still held in those detention centres.

"The right to equality before the law is non-existent in the occupied Syrian Golan, as can clearly be seen from the lack of fair trials and basic legal safeguards for Syrian citizens. This is also clearly evident from the tremendous disparity between the severity of the sentences handed down against Syrian Arab citizens, which are disproportionate to the charges brought against them, and the indulgence the settlers still enjoy even when they commit acts of murder against Syrian citizens. Consequently, we see most of the settlers acting with impunity, as a result of which they show scant regard for the lives and safety of Syrian citizens in the occupied Syrian Golan. The settlers, whom the Israeli occupation authorities have armed in a systematic manner, frequently engage in acts of provocation against Syrian citizens. The Israeli occupation authorities should therefore conduct a full and impartial investigation and take appropriate steps to bring those responsible to justice, to compensate the victims and to ensure that such acts of aggression by the settlers are not repeated in the future.

"With regard to the possibility of access by Syrian citizens in the occupied Syrian Golan to health and social services, it can be said that the policy pursued by the Israeli occupation authorities in this regard is to refrain from formulating any plans or programmes to develop health services, particularly in the field of primary health care. The Israeli occupation authorities also impose exorbitant charges for treatment, which was provided free of charge before the occupation. The income of Syrian citizens in the occupied Syrian Golan is also regarded as very low in relation to the exorbitant cost of living brought about by the Israeli occupation authorities. Consequently, a large number of Syrian citizens are suffering from poverty and therefore show little interest in health care, which ranks low on the scale of household expenditure priorities due to the high cost of health insurance in relation to their low income. This poverty had also led to malnutrition and improper consumption of pharmaceuticals, which are used without medical consultation in order to save the cost of medical examinations or laboratory tests.

"This is not the only example of the lack of concern that the Israeli occupation authorities are showing for the state of health of Syrian citizens; they even persistently obstruct any initiative taken by Syrian citizens to improve their health conditions. The underlying motive of the Israeli occupation authorities in this regard is to force those citizens to request medical treatment at health institutions inside Israel, the services of which are characterized by racism not only with regard to the

waiting period before admission for treatment but also with regard to the costs of treatment, which are exorbitant to the extent that it is difficult for many Syrian citizens to bear them, in contrast to the other patients receiving treatment at those health institutions. At the same time, the Israeli occupation authorities prevent sick Syrian citizens from coming to Syria for hospital treatment."

673. In a statement delivered before the Special Committee at Quneitra on 23 May 1995, Mr. Walid Al-Bouse, the Governor of Quneitra, Syrian Arab Republic, referred to the situation in the occupied Syrian Arab Golan and stated in that connection:

"The inhuman Israeli practices include the different material, political, economic, cultural and social situations of the Arab citizens in the occupied region of the Syrian Arab Golan Heights; in addition to the pursuit of the settlement policy and creeping over the Arab territories, the destruction of the urban centres and the plight of relics, the exploitation and confiscation of the territories, natural resources and water sources.

"Prisoners are suffering from the worst health conditions and chronic diseases, being deprived of any medical care, in spite of the trials of their relatives to treat them, even on their own accounts. For example, the imprisoned A'ssem Mahmoud Ass'ad Al-Wali's hand was broken during investigation, and the occupation authorities prevented his transfer to a hospital to be treated medically, and rejected the demand of his family to bring him a physician to treat him on their own account. The received information says that his hand has become completely paralysed.

"Owing to their deteriorated health conditions, they had a strike against food more than once protesting against the bad treatment that they used to have; the last strike was at the beginning of 1995, which made the Israeli authorities rearrange their distribution at the various Israeli prisons from time to time, in addition to daily penalties of single imprisonment, filling the cellars with water and using gas bombs, with prevention of visits and so on.

"The occupation authorities established military zones within the villages, three of which were for example at Beit Al-Tal near to Majdal Shams village, and these areas were surrounded with mines that exploded and injured many of the inhabitants; the last injured person was a child called Salmi Mazid Abou-Saleh in February 1995.

"The occupation authorities lately confiscated the water of the Al-Ya'afouri field well, the spring of Al-Msheirfeh and the wells of Al-Sahleh at the village of Mas'ada and prevented the citizens from exploiting these water sources, and pumped their water to the new settlement (Namroud) which was erected near the village of Ein Kiniah; and, as was mentioned in previous reports, the occupation authorities confiscated the water of Massa'adah lake with other water sources.

"Also, heavy taxes were imposed on the agricultural production that sometimes reach 50 per cent of the production value, and sometimes the whole production is confiscated; in addition to heavy taxes on the erection of water tanks by the citizens in which they gather the winter rain water.

"In addition to what was mentioned in previous reports of the sufferings of the Arab citizens under the Israeli occupation in the Golan Heights villages, such as the deterioration of interest in health affairs and the necessary health medical care, with the great shortage in the number of physicians, and the non-assistance of health centres; the occupation authorities prevent the physicians and pharmacists of the children of the occupied Golan villages who had accomplished and terminated their academic studies at the Syrian universities from working in their villages in the Golan on the pretext of not acknowledging their scientific certificates, which obliges them to spend a great deal of money without attaining a result, and this makes them work as ordinary labourers in other professions and occupations other than the profession of medicine or pharmacy."

674. A witness who testified before the Special Committee in Quneitra stated the following with regard to taxes and water resources in the occupied Syrian Arab Golan:

"Regarding taxes, the occupation authorities continue to levy many taxes, the rate of which can amount to 50 per cent. This is an attempt to impoverish the Arab inhabitant, so that he ends up by selling his land. This is so, although there is a law in Israel that stipulates that border territories are exempted from taxes. Houses are still being stormed, carpets, television sets are confiscated, even cars if available. All this is done in a very arbitrary way.

"All water resources in the Golan Heights are considered to be Israeli property. Water wells were confiscated in Mas'ada, Marj Elia Foury and in Nar Assad." (Anonymous witness No. 23, A/AC.145/RT.677)

675. The witness described the conditions of detention for prisoners from the Golan in the following manner:

"As for detainees, most of them suffer from various illnesses, chronic illnesses, like for instance Abu Salah, who just died suffering from a heart disease. Prisoners also suffer from rheumatism, eye diseases, all as a result of the very bad conditions in the prisons. I give you another example. Mr. Fuad Al-Shaad was in prison for seven years. Now, he suffers from rheumatism and he has problems with his eyes." (Anonymous witness No. 23, A/AC.145/RT.677)

676. The same witness expressed the following opinion concerning opportunities for education:

"In the field of education, there is no possibility of higher education in the occupied Golan. There is no access to becoming a lawyer

and the same goes for medicine or pharmacy." (Anonymous witness No. 23, A/AC.145/RT.677)

677. The witness told the Special Committee about the restrictions on the freedom of expression:

"The occupation authorities prevent the inhabitants of the Golan from expressing their national feelings, their quest for freedom. They are not allowed to sing national songs during celebrations or weddings." (Anonymous witness No. 23, A/AC.145/RT.677)

678. Another witness who testified before the Special Committee stated the following with regard to conditions of detention:

"Conditions in prison are very poor. The cells are flooded with water. The light is very intense and disturbs the prisoners. When coming to visit the prisoners, the families are often insulted. Prisoners are also deported from the prisons in the Golan to the Negev camps. This causes a great deal of hardship, because the families find it difficult to go and visit their children there." (Anonymous witness No. 24, A/AC.145/RT.677)

679. The witness told the Special Committee about an incident in which an Arab inhabitant of the Golan was injured by settlers:

"Hassan Ayoub, Samir Ayoub and Hussein Marei, for example, work close to the kibbutz of Ayyelet Hashahar not far from the Lake of Tiberia. Hassan Ayoub sustained a shoulder injury when fire was opened on him. Israeli settlers and the Israeli police had opened fire on them. The settlers fired at Rafik Shams in the Golan." (Anonymous witness No. 24, A/AC.145/RT.677)

680. The witness informed the Special Committee about the restrictions on the freedom of expression imposed on the inhabitants of the occupied Syrian Arab Golan:

"The authorities stormed the party, stopped it, took the groom away to prison. He was released only after he had paid a substantial sum of money as a fine. The singer was imprisoned for five days. He had to pay a fine amounting to 600 dollars and his instruments were smashed." (Anonymous witness No. 24, A/AC.145/RT.677)

681. The witness informed the Special Committee about the situation concerning education:

"On the subject of education ..., the Syrian curricula have been abolished and replaced by Israeli curricula. In those Israeli curricula, elements have been introduced for the Syrian schools which highlight the fact that the inhabitants of the Golan do not really belong to Syria and are not really Muslims, that in order to disintegrate the unity that binds the Golan with Syria. The teachers who teach in the schools in the Golan are without qualifications. It is very rare to find a really qualified

teacher. Some subjects are neglected, in some particular schools. For example, in the secondary school of Majdal Shams, there has not been any teaching of chemistry for the last four years. Qualified teachers are often deported. I have a list of the teachers who have been deported from the Golan. There are not enough classrooms. High fees are required for the schooling of children, reaching up to 100 dollars per student a year. Studying in Hebrew in Israeli universities is not allowed, except if the students pay exorbitant fees. I have here the names of three students who have been prevented from studying medicine and law. Those are two subjects that are almost totally denied to the inhabitants of the Golan. Teachers may have to teach subjects they are not qualified for. I know of a mathematics teacher who is made to teach Druze history. Also, the inhabitants of the Golan reject the teaching of this subject, because they say 'we are Arabs, we are not Druze, and our religion is Islam, we reject the teaching of this subject and we reject those attempts to disintegrate our unity with Syria'. I know of another example, an engineer who is a teacher of geography. The competent teachers are either prevented from teaching in the Golan or sent to other places in the north of Israel. Some electrical and mechanical engineers have been accepted as teachers in primary schools. I have here the names of two persons who graduated from the University of Damascus who have not been allowed to teach in the Golan, but have been forced to go and teach in schools in Hebron." (Anonymous witness No. 24, A/AC.145/RT.677)

682. The witness drew the Special Committee's attention to the hardships suffered by university students from the Golan who are allowed to study in Syria:

"As you know, the Syrian universities allow students from the Golan to come and study here and 41 students from the Golan have been accepted and allowed to come and study in Syrian universities. But the Israeli authorities have prevented these 41 students from leaving the Golan. All of these young men have lodged complaints with international organizations and human rights organizations until the Israeli authorities, under pressure, have granted them permission to come and study in Syria. They were supposed to arrive last Tuesday. But, so far, they have not arrived.

"What happens is that, when students go back to spend their one-month summer holiday with their families in the Golan, they are extremely badly treated as they try to enter the Golan. When they leave the Golan, the Israeli authorities allow them to take with them some of their personal effects, but they are not allowed to bring back anything when they go to the Golan." (Anonymous witness No. 24, A/AC.145/RT.677)

683. The Special Committee received the following information concerning the economic and social situation of the Arab inhabitants of the Golan:

"In order to ruin the agricultural activities in the Golan, helicopters fly at a very low altitude over the apple plantations and water reservoirs. This causes the apples to drop from the trees prematurely and the water tanks often explode because of the air evacuation with the aeroplanes flying at a low altitude.

"They even utilize accidents in order to impose more and more taxes on the people, like this case of a citizen of the Golan whose house was on fire. He had called for the fire brigade to come and put out the fire. The fire brigade was very late in arriving, the house had completely burnt down and yet, although they had done strictly nothing, the firemen required the payment of something like 100 dollars for having come.

"Building permits are very costly. Often, they impose on the person who is building a house to pay for a permit several times on the pretext that the municipality has changed, or some laws have changed, so the person has to pay again.

"They seize the water sources, like for instance the Mas'ada lake. They control the water and sell it at high cost to the people on whose land the springs and the lake are. People are not allowed to have reservoirs to collect rain water. When they protest and say that 'this is rain water that has been sent to us by God', the Israelis take no notice at all. Once, the reservoir that one of the Syrian citizens had built all the same was perforated by bullets shot by some Israelis." (Anonymous witness No. 24, A/AC.145/RT.677)

684. The witness spoke to the Special Committee about the situation regarding health care:

"Finally, in the field of health care, people are forced to join some sort of insurance scheme and have to pay a lot of money to be covered by that scheme. But what they get by way of medical services would not even be one tenth of the value they have actually put into that fund. There was no ambulance in the Golan, so the inhabitants got together and bought one. In 1994, we had the case of a citizen from Majdal Shams who had a chronic stomach problem and had to be operated in hospital. He was asked to pay a sum of 30,000 dollars for the operation to be performed in several stages. They refused to complete his treatment until he had paid the sum entirely." (Anonymous witness No. 24, A/AC.145/RT.677)

685. Another witness who testified before the Special Committee stated the following with regard to the general situation faced by the Arab inhabitants of the occupied Syrian Arab Golan:

"Incidents take place during celebrations that we usually organize for national events, when everyone and every family in Syria and in the Golan want to celebrate the struggle of their forefathers. But Israel does not accept that. People are being arrested, exorbitant fines are imposed. Otherwise also, the Israeli iron grip goes on, particularly through the levying of taxes on houses and property that are beyond the possibilities of the inhabitants of the Golan. When the people cannot pay the taxes, the Israeli authorities confiscate even furniture. I am asking, why is it allowed for Israel to impose taxes on the Syrian citizens of the Golan, to impose on them to stand still in memory of the victims of nazism, when they are not allowed to celebrate their own national historical events? This is a question we put to the world. Our families in the Golan suffer severely from the conditions prevailing. Family members are not allowed to go to

Syria to visit their other relatives there in the mainland. In the Golan, the people are prevented from building and establishing health centres. But, when they are sick, they are not allowed either to leave the Golan to be treated in Syria. Rather, they are obliged to go to Israeli hospitals, which are extremely costly. One example is the case of my brother, who had to have open-heart surgery. This cost him a lot of money, he had to sell part of his property. If Israel had let him come over to Syria for treatment, he would not have paid one piastre. I remember that, recently, a group of Syrian students from the Golan got the ruling from one Israeli court to be allowed to carry on their studies in Syria. Nevertheless until this very day, the Israeli authorities have not permitted them to come to Syria to study. If, at the end of this month schools close, how are they going to benefit if they come over to study at this very late date, when the court ruling was issued at the very beginning of the school year?" (Anonymous witness No. 25, A/AC.145/RT.677)

686. The witness told the Special Committee how he felt about the situation:

"These are the conditions in which our families live in the occupied Golar, under a policy of oppression, where freedom is denied. The citizen is deprived of his own will and if he dies, we cannot even see him to say a last goodbye. If the world knew the story of our families in the Golan, it would not accept this, I am sure. There is no State in the world that categorizes people into first, and second and third category - neither now nor in the past." (Anonymous witness No. 25, A/AC.145/RT.677)

687. An additional witness who testified before the Special Committee gave an example of how even minors were arrested and sentenced to prison terms for raising the Syrian flag on Independence Day:

"One story I heard: a cousin of mine has a son around 18 or 19 years old. He got out of prison last October and had been accused of raising the Syrian flag on 17 April, Independence Day for us, for Syria, about three years ago. He was detained in prison for three years just for doing this. He came out last October." (Anonymous witness No. 26, A/AC.145/RT.677)

688. The witness spoke to the Special Committee about the situation regarding education:

"Now, things are degrading. I know that, because a lot of the students who come here to study find it difficult to catch up with the university level in Syria. Israel sometimes tries to impose subjects which are irrelevant, like for instance the subject called the 'Druze culture'. The Druze are a sect of Islam. This is nonsense, I mean, to teach a student about this culture. You teach him maths, you teach him history, correct history (which is a little bit less distorted than what they teach about the Israeli land and the Golan Heights). I once tried to study in Israel. But what happened, and what happens every year, is that they delay your A level results in such a way that you cannot get into what you want to study. I wanted to study computer engineering at that time, but they refused me. They offered me a place in mechanical engineering, but I did

not like that. I just gave up and came here." (Anonymous witness No. 26, A/AC.145/RT.677)

689. The witness described the general situation to the members of the Special Committee:

"Most of the things that happened before are still happening, the persons are different. Someone gets jailed because he did not pay his taxes. Somebody gets jailed because he dug a well to get water to water his land. Somebody gets jailed because he raised a flag or sang a song. Somebody dies because of lack of health care. The same things are continuing, with new persons." (Anonymous witness No. 26, A/AC.145/RT.677)

690. The witness spoke to the Special Committee about the freedom of movement:

"Things are going up and down. In the last two years, I think they have been stricter than before. Two years ago, they allowed people to come out for health care, to get treated in Damascus. Now, for two years, they have not allowed anyone. They used to allow a few people to come and visit their sons and daughters. Now, they do not. The only people who are allowed to come out are students, and not all students. If you have done anything wrong in their eyes, if you have raised the flag, there is no way they will allow you to come and study here. The other thing they allow is for groups of religious people to come and visit religious places. So, in this sense, yes, it is more strict now. Otherwise, it is all the same, I think." (Anonymous witness No. 26, A/AC.145/RT.677)

691. The full statement of Mr. Taher Al-Husami, Director of the Department of International Organizations and Conferences of the Ministry of Foreign Affairs of the Syrian Arab Republic, and the full statement of Mr. Walid Al-Bouse, Governor of Quneitra, referring to the situation in the occupied Syrian Arab Golan may be found in documents A/AC.145/RT.539/Add.11 and Add.12. The other references relating to the above subject may be found in document A/AC.145/RT.677. (Anonymous witnesses)

Written information

692. On 9 April, the Golan Heights Residents' Committee called upon the Government to end talks with the Syrian Arab Republic regarding any possible withdrawal from the Golan. The appeal was made as the Committee leaders revealed details of their planned six-month NIS 1.5 million campaign, due to start on 1 May, whose aim was to rally public support for keeping the region under Israeli rule. The Committee's chairman, Eli Malka, stated that more than 70 per cent of the public supported their battle against the Israeli withdrawal. (Jerusalem Post, 10 April)

693. On 17 April, the Golan Heights Druze marked the Syrian Independence Day with parades, rallies and a general strike. A large police force was dispatched throughout the region in case rioting were to break out but the marches held in Buka'ata, Mas'ada and Majdal Shams were peaceful and orderly. Demonstrators from Druze villages staged parades, carried Syrian flags and pictures of Hafez al-Assad and called for the return of the Golan to the Syrian Arab

Republic. Hundreds of people gathered on the Syrian side of the border opposite Majdal Shams and broadcast speeches and Syrian national music on loudspeakers across to their brethren on the Israeli side. Police, however, blocked the routes leading to a spot on the outskirts of Majdal Shams known as the "shouting Hill" from which the Golan Heights Druze shout messages to their relatives on the Syrian side. (Ha'aretz, Jerusalem Post, 18 April)

694. On 28 April, it was reported that the Government was drawing up a secret plan envisaging the transfer from the Golan to the Galilee, in case of an Israeli withdrawal from the Golan, of some 100 Druze families who had collaborated with Israel over the years. (Ha'aretz, 28 April)

695. On 1 May, a nation-wide information campaign aimed at winning broad public support for keeping the Golan Heights under Israeli rule began in Jerusalem. The NIS 1.5 million campaign, entitled "Power to the Golan" and said to be the biggest of its kind, includes a huge exhibition centre featuring a several metre-high photograph of the Golan and a 130-seat auditorium, which is to be taken to eight other towns in Israel. In a related development, Israeli Television's Channel 2 reported that Chief of General Staff Lt.-Gen. Amnon Shahak had met secretly with Golan leaders and informed them that he had not received any orders to prepare new security arrangements for the area. (Jerusalem Post, 1 May)

696. On 29 May, Prime Minister Yitzhak Rabin stated that there would not be any withdrawal whatsoever from the Golan Heights before the holding of a referendum on the issue. Furthermore, Mr. Rabin reiterated that no peace agreement would be signed with the Syrian Arab Republic without prior agreement on four basic points: the location of the "peace border"; a timetable for withdrawal; examination of the normalization issue after a limited withdrawal involving the evacuation of one settlement; and security arrangements. (Ha'aretz, Jerusalem Post, 30 May)

697. On 29 May, the High Court of Justice issued an interim order, pending a further hearing, temporarily barring the Golan Council and its constituent settlements from funding the campaign against the Israeli withdrawal from the Golan Heights. The Court also issued a show cause order giving both the Golan Regional Council and the town of Katzrin 15 days to explain why they should not be permanently barred from funding the campaign. Both court orders were issued in response to a petition by the Peace Now movement, which argued that it was illegal for a local or regional council to fund political organizations such as the Golan Settlements Committee. (Ha'aretz, Jerusalem Post, 30 May)

698. On 28 June, an Israeli official stated that Israeli Chief of Staff Lt.-Gen. Amnon Shahak and his Syrian counterpart Hikmat Shihabi had agreed in principle on the need for a separation and reduction of forces on the Golan and on the need to establish early-warning systems in order to prevent surprise attacks. (Jerusalem Post, 29 June)

699. On 11 July, a senior army officer stated that Israeli early-warning stations on the Golan were Israel's basic security demand. However, he indicated that an agreement with the Syrian Arab Republic would also have to

include Israeli aerial surveillance and satellite information. (Jerusalem Post, 12 July)

700. On 11 July, the 5,000-strong settlement of Katzrin celebrated its eighteenth anniversary. Among other things, a ceremony was held to mark the final development stages of a new neighbourhood in the northern part of the settlement, where 260 apartments were scheduled to be occupied in the course of the following months. Five hundred additional housing units were already inhabited in a nearby neighbourhood, while 50 families had moved to another neighbourhood currently under construction. The head of the Katzrin local council, Sami Bar Lev, revealed that various projects in which the Government had invested tens of millions of NIS had been completed in the settlement over the past year. Mr. Bar Lev also indicated that more than 760 new families had moved to the settlement in less than two years. (Ha'aretz, 12 July)

701. On 15 July, a senior Israeli source stated that Israel was willing to pursue negotiations with the Syrian Arab Republic in Washington at the ambassadorial level. The source indicated, however, that Israel would not agree to the ambassadors' holding a detailed discussion on security arrangements on the Golan. (Ha'aretz, 16 July)

702. On 26 July, the Government defeated by a very narrow margin a parliamentary bill that would have made the withdrawal from the Golan Heights contingent upon a special majority in parliament or a national referendum. In a dramatic session, the bill was defeated by a 59-59 tie, to the relief of Prime Minister Yitzhak Rabin. After the vote, Mr. Rabin dismissed the bill as "stupid" and indicated that it was an attempt to handcuff the Government's negotiations with the Syrian Arab Republic. The Golan bill was introduced by members of Mr. Rabin's own Labour Party. (Ha'aretz, Jerusalem Post, 27 July)

703. On 30 July, Prime Minister Yitzhak Rabin told the Cabinet that he had "serious doubts" about the prospects of reaching a peace agreement with the Syrian Arab Republic before next year's Israeli general election. (Jerusalem Post, 31 July)

V. CONCLUSIONS

704. The following conclusions have been formulated on the basis of the information reflected in the two periodic reports and in the present report of the Special Committee. They have been prepared in accordance with the mandate of the Special Committee under the terms of General Assembly resolution 49/36 A. Since the twenty-sixth report was adopted on 26 August 1994, the conclusions thus cover the period from 27 August 1994 to 18 August 1995. The two periodic reports cover the period from 27 August to 31 December 1994 (A/50/170) and from 1 January to 31 March 1995 (A/50/282), respectively. The present report concerns the period from 1 April to 18 August 1995.

705. The important events as well as the number of incidents that have taken place in the region during the period under consideration and the large amount of information on the human rights situation received and examined by the Special Committee may not have been reflected in their totality in these reports

for the reason hereinafter stated. Nevertheless, the Special Committee has endeavoured, within the constraints imposed by the regulations concerning the length of United Nations documents, to include in its reports, as faithfully as possible, samples of the information in order to illustrate in the best possible manner the situation of human rights in the occupied territories during the period under review.

706. Since its establishment in 1968, the Special Committee has repeatedly tried to obtain the cooperation of the Government of Israel but has consistently been denied such cooperation and thereby access to the occupied territories. During the period covered by the present report, the Committee has once again addressed a letter to the Secretary-General seeking his intervention in order to convince the Israeli authorities to cooperate. In addition, the Special Committee addressed a letter to the Permanent Representative of Israel to the United Nations Office at Geneva seeking the cooperation of his Government. Regretfully, the Israeli authorities have continued to withhold their cooperation from the Special Committee.

707. In its letter to the Permanent Representative of Israel, the Special Committee expressed its interest in visiting the occupied territories, in particular those territories which have been placed under Palestinian authority, so as to be able to gather the most direct information possible on all questions pertaining to its mandate. The Special Committee regrets that in the 26 years since its creation, it has never been given the opportunity to visit the occupied territories. It once again appeals to the Government of Israel to give it access to those territories, enabling it to learn directly from both sides the reality of the developments that have taken place and to contribute in the most effective way to the enjoyment of all human rights by all inhabitants of the occupied territories.

708. Nevertheless, the Special Committee has once again benefited from the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic, of various Palestinian representatives and of the United Nations offices in the field, in particular the United Nations Development Programme (UNDP), and of the United Nations information centres.

709. As it has been precluded from visiting the occupied territories, the Special Committee has conducted, in addition to its regular meetings at Geneva, a series of meetings at Cairo, Amman and Damascus, where it travelled from 13 to 23 May 1995. It heard the testimonies of 26 persons with first-hand knowledge and personal as well as recent experience of the situation of human rights in the occupied territories. In addition, the Special Committee followed the situation in the occupied territories on a day-to-day basis through reports appearing in the Israeli press and the Arab press published in the occupied territories. The Special Committee also examined a number of valuable communications and reports from Governments, organizations and individuals concerning the occupied territories that reached it during the current reporting period.

710. In addition, the Special Committee took note of the report of the Special Rapporteur of the Commission on Human Rights to investigate Israel's violations

of human rights in the Palestinian territories occupied by Israel since 1967, Mr. René Felber (E/CN.4/1995/19 of 13 December 1994).

711. The period covered by the Special Committee's current report follows the signing at Cairo on 4 May 1994 of the Israel-PLO Agreement on the Gaza Strip and the Jericho Area and the subsequent establishment of the Palestinian National Authority. This historic event, which was preceded by the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington D.C. on 13 September 1993 (A/48/486-S/26560, annex) gave rise to very high expectations concerning the improvement of the human rights situation in the occupied territories among their population. It was expected that these agreements would usher in a new era, with the establishment of peace, justice, understanding and respect for human rights in the region. However, in the report that it presented to the General Assembly covering the period after the signing of the Declaration of Principles (A/49/511), the Special Committee concluded that the general situation of human rights in the territories still remained very serious. Numerous witnesses informed the Special Committee that the situation had actually deteriorated in many respects.

712. On the basis of the information and evidence placed before it, the Special Committee has concluded that the situation of human rights in the occupied territories during the period covered by the present report has not improved and has in certain respects even deteriorated further. This is also reflected in the testimony of the overwhelming majority of witnesses who testified before the Special Committee. A major factor contributing to the lack of improvement in the human rights situation is the repeated closures and consequent restrictions on the freedom of movement that were imposed on the occupied territories by the Israeli authorities after serious security incidents that took place in Israel during the period under review. The incidents were caused by groups opposed to the peace agreements and the continuing Israeli occupation and have resulted in the loss of numerous Israeli lives. The closures have entailed a significant deterioration in the economic and social situation in the occupied territories, in particular in the Gaza Strip. Equally important factors accounting for the lack of improvement in the human rights situation are the unabated expropriations of Arab-owned land for the expansion of settlements and building of bypass roads, the persistently violent behaviour of settlers, the large number of Palestinian prisoners who remain in Israeli detention facilities and the deterioration in their conditions of detention, the increasingly harsh methods amounting to torture used by Israeli interrogators of persons suspected of having committed security offences, as well as other human rights violations committed under the pretext of security considerations. These violations of human rights are more fully dealt with seriatim below.

713. Closures of the occupied territories have been imposed after the killing of Israelis within the Green Line. It should be recalled that the first closure was imposed on the occupied territories in March 1993 and has been enforced since that time with varying degrees of severity. Although the attacks against Israelis have been perpetrated by individuals or a handful of people, collective punishment has been imposed by way of reprisals on more than 2 million Palestinians in the occupied territories. Apart from the closures imposed on the occasion of religious and other Israeli holidays, the closures allegedly for security reasons during the period under review began in October 1994.

714. A witness stated before the Special Committee that in the past two years, the closures definitely had not led to a decrease of the armed attacks against Israelis. Several witnesses who testified before the Special Committee believed that the repeated closures imposed on the occupied territories since October 1994 had undermined the support of the Palestinian population for the peace process and continued to threaten it. On the other hand, such closures seem to have aggravated the general state of relations between Palestinians and Israelis. Closures have also given rise in Israel to the consideration of a complete physical separation of Israel from the occupied territories, which, in the opinion of the Special Committee, could have grave repercussions in a later and final settlement of boundaries.

715. The closures of the occupied territories have had the most devastating effects on the economic and social situation of their inhabitants. In his report to the International Labour Conference at its 82nd session, in 1995, the Director-General of the International Labour Office stated:

> "The occupied Palestinian territories are burdened by a massive employment problem of multiple dimensions. The problem is characterized in particular by the fact that a large majority of working-age Palestinians is unable to find stable and decent income-earning opportunities within the territories. Many are either unemployed or underemployed; others are working long hours without ever rising above the poverty line. ... The small economy of the occupied territories is essentially underdeveloped."

716. Prior to the closure of the occupied territories in March 1993, 115,600 workers from the occupied territories were allowed to work in Israel, which represented 36 per cent of all Palestinians employed at the time. The report cited above indicates further:

> "Since the deadly attack north of Tel Aviv in March 1993, the closure of the territories has become a permanent feature, the extent of which varies according to circumstances and certain conditions. ... In 1995, until early May, the total number of work permits issued never exceeded 27,000, half of them for Gazans and half for West Bank workers; most of the time, however, no workers were allowed in, or only very few. This dramatic decline in employment opportunities is a direct result of a number of terrorist incidents that have taken place over the past two years. The public outcry that has followed each of these incidents has led to punitive as well as preventive total border closures and to an Israeli policy of recruiting, so far, as many as 70,000 substitute workers from countries, including Romania and Thailand. ... The economic and social consequences of so many people losing their jobs or their income can only be described as disastrous, particularly in Gaza. ... The employment problem of the occupied territories is therefore complex, serious and growing worse as the supply of Palestinian labour increases and demand for it declines."

717. It has been reported that since the Oslo Agreement the standard of living in Gaza has fallen by 25 per cent.

718. In the course of the present reporting period, the Israeli authorities have organized repeated crackdowns throughout Israel on workers who do not have

official work permits. Those who were discovered by the authorities have been fined and expelled from Israel to the occupied territories. A number are reported to have been detained. In addition, the fines collected from Israeli employers of illegal Palestinian labour have been raised significantly. The desperate situation in Gaza was illustrated in the Israeli daily Ha'aretz, which reported on 3 March 1995 that:

> "Gazan detainees held at the Ketziot detention camp had recently tried to smuggle basic commodities such as shaving foam, coffee, cigarettes and sugar to members of their families who came to visit. ... As far as it was known, there had never been a similar attempt since the setting up of the detention camp, not even during previous periods of closure."

719. The most obvious manifestations of closure are the severe restrictions on the freedom of movement that it entails. As parts of the occupied territories become hermetically sealed off from each other and from Israel, in addition to unemployment, all permits giving access to Israel and other parts of the occupied territories become invalid and new regulations for transporting both persons and goods are imposed. The permits that are issued subsequently often carry restrictions. After the recent closures imposed on the occupied territories, permits to men were issued on condition that they were over 30 years of age, married, were former permit holders and had no police record.

720. The regulations governing the freedom of movement as a result of the closure have had particularly adverse consequences for agriculture and the export of agricultural produce. The Chairman of the Gaza Chamber of Commerce has estimated the daily losses owing to the continuing closure at $8 million. The restrictions concerning agricultural exports from the Gaza Strip were estimated to cost farmers $2 million a day. Trucks are reported to be subjected to two-hour security checks after a minimum of 10 hours of waiting at the border. The Deputy Minister of Agriculture of the Palestinian Authority stated that 70 tons of agricultural produce had to be thrown away daily. At the end of April, the losses of the textile industry, the second economic sector in the Gaza Strip, were estimated at some $20 million since the closure imposed on the occupied territories on 22 January.

721. Restrictions imposed on the freedom of movement resulted in considerable hardships for everyday life in the occupied territories. When no vehicles from the occupied territories were allowed into Israel, "back-to-back" transportation meant that goods carried in vehicles from the territories had to be loaded at the border onto vehicles with Israeli licence plates. Taxi drivers from the territories with permits to go to Israel during the day were obliged to leave their vehicles overnight on the Israeli side of the border and walk to the occupied territories. In addition to persons, separate permits were required for vehicles. A witness gave the following example. As permits were often valid from 5 a.m. to 7 p.m., persons from the occupied territories had to leave their jobs before the end of the office hours or risk arrest. He described the situation as being particularly difficult for persons in the medical profession.

722. The restriction of the freedom of movement resulting from the closures has had very serious consequences for the health of the inhabitants of the occupied territories. Numerous patients undergoing radiotherapy or chemotherapy have had

to interrupt their treatment. Persons suffering from heart ailments or in need of surgery requiring sophisticated medical equipment have also been affected. A witness told the Special Committee that as a result of neglect on the part of the Israeli authorities during 27 years of occupation, most hospitals in the Gaza Strip have obsolete equipment, including x-ray equipment and that required for laboratories. The witness stated that samples often had to be sent to laboratories in Israel for analysis. Although the best equipped hospitals servicing Palestinians are located in East Jerusalem, the Special Committee was informed that fewer than half of the requests for permits by patients were granted. The Special Committee was informed about the case of a woman who died of renal failure for lack of a permit.

723. In addition to the restrictions imposed regarding entry into Israel, delays have reportedly also been registered in the arrival of goods to the Gaza Strip. A witness informed the Special Committee that soldiers at the Erez border crossing into the Gaza Strip had held up several trucks of medical supplies arriving from the West Bank until their period of validity had almost expired. They reportedly did the same with vaccines sent to Gaza by WHO. The Special Committee was informed about the possible adverse effects of regulations concerning ambulances:

> "A few months ago, 15 ambulances were allowed into Gaza to transfer patients and ill people to East Jerusalem hospitals. But after the closure, only 10 ambulances were allowed in and, at present, only 8 are permitted to enter Jerusalem and Israel with sick people. The Israeli soldiers at the Erez border demand that the patients get off the vehicles and walk 100 or 150 metres, while the vehicles drive on the other side, and then they are allowed in the ambulances again. This is a violation of human rights. It is dangerous for their life."

724. Restrictions concerning the freedom of movement have had negative consequences for students in the Gaza Strip who are enrolled in educational institutions in the West Bank and in Jerusalem. Approximately half of the 1,300 Gazan students who were prevented from leaving Gaza because of the closure have obtained permits enabling them to continue their studies. The remainder lost their academic year. A witness who testified before the Special Committee drew its attention to the selective approach in issuing permits, which at times resulted in students attending classes with no teachers.

725. The Special Committee took note of a disquieting recent measure affecting the education of students from the occupied territories. The daily Ha'aretz reported on 12 July 1995 that the Civil Administration had decided not to allow any new Palestinian students from the West Bank to study at higher education institutions in East Jerusalem. An exception would reportedly only be made for students who were already enrolled in educational institutions there and wished to complete their studies. The Jerusalem Times reported on 14 July 1995 that no permits whatsoever would be issued for students from Gaza to study in Jerusalem. The measure is estimated to affect 70 per cent of students of Al-Quds University.

726. The closures of the occupied territories have also affected in a significant manner the freedom of worship of both Muslims and Christians. It

has been estimated that 100,000 fewer worshippers were able to attend prayers at the Al-Aqsa Mosque during the month of Ramadan. An estimated 5,000 to 7,000 Christians from the occupied territories were prevented from reaching Jerusalem at Easter because of the closure imposed on the occasion of the Jewish Passover holidays which are celebrated at the same time.

727. Although article IX of annex I to the Israel-PLO Agreement on the Gaza Strip and the Jericho Area (A/49/180-S/1994/727, annex), envisaged arrangements for safe passages between the Gaza Strip and the Jericho area, those corridors have not been opened so far. In the wake of the bomb attack in Beit Lid on 22 January 1995, the Israeli Cabinet is reported to have announced that the opening of safe passages between the Gaza Strip and Jericho will be frozen.

728. From its inception in 1968, the policy of the Israeli authorities to establish Jewish settlements in the occupied territories has been at the heart of the Arab-Israeli conflict. It is estimated that there are currently some 140,000 Jewish settlers living in the West Bank, Gaza Strip and the occupied Syrian Arab Golan.

729. It ought to be recalled that when it came to power in 1992, the Government of Prime Minister Rabin declared that no new settlements would be built. However, the expansion of existing settlements has continued unabated. According to numerous witnesses who testified before the Special Committee, the expansion of existing settlements has been accelerated since the signing of the Oslo and Cairo Agreements. The time-frame for the completion of most such projects is three to five years, that is, before the negotiations on the final status of the occupied territories. According to a report by the Land Research Centre of the Arab Studies Society in Jerusalem, an average of 1,500 acres of land had been confiscated each month since the signing of the Oslo Agreement.

730. The Government of Israel has circumvented its pledge not to build new settlements by withholding official financial support to settlement expansion but not preventing private funding of such activities. Since the signing of the Declaration of Principles, it has been reported that the Israeli authorities have approved plans for the significant expansion of 11 settlements in the West Bank and that land confiscation amounting to some 3,000 acres of Arab-owned land would be carried out in order to build roads for settlements. It has also been reported that the construction of 7,728 new homes was planned in the West Bank in 1995. This policy has led to a continuous alteration in the configuration of the land in the occupied territories. The Special Committee was informed that 35 settlements had been extended between October 1993 and February 1995.

731. The Israeli authorities have several methods of expropriating land or placing it under Israeli control: the falsification of dates of confiscation orders, invoking reasons of security such as the necessity to build a network of roads linking settlements and bypassing agglomerations populated by Palestinians, the use of land for quarries, the creation of natural reserves and the use of structural plans. On 15 April, the IDF announced the confiscation of 40 dunums (10 acres) of Arab-owned land for the construction of bypass roads in the Ramallah, Nablus and Jenin areas. The international outrage at the announcement made by the Government of Israel in April that it intended to

expropriate some 530 dunums (133 acres) of Palestinian land in East Jerusalem for Jewish housing construction caused it to reverse its decision in May.

732. The situation regarding the expropriation of Arab-owned land and the expansion of settlements is particularly serious in Jerusalem. In his report to the International Labour Conference in 1995, the Director-General stated that the Government of Israel had decided to direct all its efforts towards the intensive priority construction of settlements in East Jerusalem. In its concluding observations adopted on 18 August 1994, the Committee on the Elimination of Racial Discrimination stated that: 1/

> "The Committee regards the Israeli settlements in the occupied territories as not only illegal under international law but also as obstacles to peace and to the enjoyment of human rights by the whole population in the region, without distinction as to national or ethnic origin, in accordance with the Convention."

733. If completed, "Greater Jerusalem" would stretch all the way to Jericho, converting the Palestinian villages in its vicinity into isolated islands. East Jerusalem is considered occupied territory under international law and its annexation by Israel is illegal. Nevertheless, the Israeli authorities have carried out a deliberate policy aimed at reducing the number of Arabs in Jerusalem and creating a new demographic, geographic and political situation in the City. These policies violate the fundamental right to equality and equality of treatment and are grossly discriminatory. Witnesses who testified before the Special Committee have indicated that the Government applies the one-to-three ratio regarding the Arab and Jewish populations: one part for Arabs, three for Jews. The witness stated that:

> "This is the proportion that is being maintained in all planning and building projects for the City. They do not grant the Arab citizens any privileges beyond this ratio of one to three and whoever faces a housing problem has got to leave the City."

This policy has intensified since the signing of the Declaration of Principles. In 1967, 66,000 Palestinians and a few hundred Jews lived in East Jerusalem. At present, Jews are the majority. Among the policies used to achieve this goal are the expropriation of Arab-owned land for Jewish construction, expansion of municipal boundaries as regards land but excluding the Palestinian population, the demolition of houses built without permits and declaring areas to be used for public parks "green zones". It has been estimated that some 50,000 Palestinians have ceased to live within the municipal boundaries of Jerusalem since 1967.

734. In his report to the International Labour Conference at its 82nd session, the Director-General stated that:

> "The changes to the physical and demographic characteristics of these territories, contrary to international law, as well as the confiscation of land and water resources that continued settlement has involved, are serious obstacles to the establishment of a comprehensive, just and lasting peace."

735. The Special Committee's attention has been drawn to a development that may have lasting detrimental consequences for the Al-Aqsa Mosque. The Jerusalem Times reported on 12 February that the Israeli Antiquities Authority had begun archaeological excavations aimed at uncovering the ruins of the Temple of Solomon, thought to be located under the Al-Aqsa Mosque. It has subsequently been alleged that the excavations have already caused the stairs of a school located near the Mosque to collapse. A report entitled "Construction and housing in the West Bank and Gaza Strip" published in 1994 by the United Nations Conference on Trade and Development (UNCTAD) states:

> "Reference is made to the resolution adopted by UNESCO whereby the entire City of Jerusalem would be considered as a protected area. Nevertheless, Israeli construction work in and around the City has continued unabated. The international community should encourage the Israeli authorities to abide by their obligation under international conventions and the relevant resolutions of the United Nations system regarding preservation of the physical characteristics of the occupied territory."

Such activities constitute a great danger for the cultural heritage of the Palestinian people.

736. During the period covered by the present report, the Israeli authorities have intensified their drive to affirm their domination of Jerusalem and have correspondingly restricted the scope of Palestinian activities in East Jerusalem, which they believe should be conducted in the areas currently under the Palestinian Authority. The Israeli daily Ha'aretz reported that, on 29 June, the Jerusalem municipality had initiated legal proceedings aimed at closing Orient House, the PLO headquarters in East Jerusalem, stating that the unauthorized use of the compound was aimed at undermining the sovereignty of both Israel and the Jerusalem municipality over the City. The municipal authorities have hindered the holding of gatherings or the access of Palestinian personalities to the city on such occasions. On 21 October 1994, the Mayor of Jerusalem had ordered the closure of the municipality's Office for Arab Advisor's Affairs, which had been in existence since 1967. According to a report commissioned by the Mayor of Jerusalem and published on 10 July, East Jerusalem suffered from a severe lack of services and infrastructure. The report indicated that it would take some $83,350,000 to bridge the gap between the services offered in East Jerusalem and those available in West Jerusalem. According to a petition filed with the High Court of Justice, one third of the land in East Jerusalem had been expropriated since 1967.

737. The largest settlement in the occupied territories is Maaleh Adumim, located east of Jerusalem in the West Bank, whose population is estimated at 20,000 persons. The Israeli press announced in December 1994 that the Deputy Minister of Defence had called for increased housing construction around the settlement in order to strengthen Israel's hold on the territories east of Jerusalem. It is estimated that the population of the settlement will triple in the coming years if those plans are fulfilled. On 19 December 1994, it was reported that the Ministry of Housing and Construction was building 2,000 housing units in Maaleh Adumim and that others were in the planning stages. Victims of the expansion of the Maaleh Adumim settlement are some 800 members of the Jahalin Bedouin tribe who live in its vicinity and who are faced with

forcible eviction. The Jahalin were already evicted in 1950 from the area of Arad to the Judean desert between Jerusalem and Jericho. A number of Jahalin families have already been served with eviction notices. The resettlement site they have been offered has been described as "unfit for human habitation".

738. An additional problem linked to the existence of settlements is the behaviour of the persons who inhabit them. During the period covered by the present report, settlers have become more violent and aggressive, whether in harassing the Arab population of the occupied territories or when trying to stake claims on land they fear losing during the second part of the interim phase of implementation of the peace agreements. The settlers are often armed and, according to the witnesses who appeared before the Special Committee, consistently protected by the army. Numerous witnesses indicated that there would be no security in the occupied territories until the settlements were removed since they are a source of continuous tension and cause of unrest.

739. The tension stemming from the presence of settlers is particularly felt in Hebron where settlers live in the centre of the town. It has been reported that on 2 November 1994 the Israeli Prime Minister had severely criticized the settlement in Hebron saying that three battalions were needed there to protect 415 Israelis amid a population of between 80,000 and 100,000 Palestinians. Settlers who have been described as fanatic reside in the Kiryat Arba settlement near Hebron. A number of its residents are members of the Kach and Kahane Hai movements which were outlawed in the wake of the massacre perpetrated at the Ibrahimi Mosque on 25 February 1994 by Kiryat Arba resident Baruch Goldstein in which 29 Palestinians lost their lives.

740. Settlers from Hebron and nearby Kiryat Arba have repeatedly attacked Palestinians and vandalized their property with complete impunity. They have frequently gone on rampages through the town and broken windows on houses and cars, pelted them with stones, thrown incendiary bottles, burned tyres, overturned stalls in the market and attacked shops and citizens. On 23 May, they even entered the Ahli Hospital posing as doctors. Settlers have been able to behave in this way owing in large part to the lack of action on the part of Israeli soldiers. On other occasions they have been openly protected by the army. Although the regulations governing the opening of fire have been modified and soldiers instructed to intervene if they see persons trying to shoot Palestinians, witnesses have told the Special Committee that the Palestinian population has been subjected much more frequently to beating. It should be recalled that, unlike the Arab population of the occupied territories, who are placed on trial in military courts, settlers are prosecuted in civilian courts as is the case with Israeli citizens. Trials against settlers reportedly take place two or three years after the offence has been committed. It should also be recalled that settlers are not subjected to curfews.

741. It has been reported that settlers were allowed into the compound of the Ibrahimi Mosque in Hebron in October 1995, well in advance of the Muslim worshippers. In addition, a Palestinian dignitary was denied entrance into the same Mosque, which was not the case with Jewish tourists from Germany. After the reopening of the Ibrahimi Mosque on 7 November 1994 subsequent to the installation of sophisticated security arrangements, 300 worshippers belonging

to each religious community were allowed to pray in separate parts of the compound despite the enormous disparities in their numbers.

742. Over the past months, settlers have repeatedly fired at the home of Palestinian official Faisal Husseini in Jerusalem during anti-Arab demonstrations and on other occasions. As the agreement between Palestinians and Israelis concerning the second phase of the peace negotiations approached, settlers have repeatedly tried to establish encampments on hilltops in the vicinity of their settlements, thus staking a claim to land on which to expand them. They have been forcibly evacuated by the army on a number of occasions. The most serious recent incident concerning settlers is the reported killing in Hebron on 1 July of a 15-year-old Palestinian boy who is said to have been first shot by the army and then "finished off" with shots in the head by a settler who was standing in the vicinity.

743. Although the overall level of violence and number of deaths in the occupied territories had reportedly declined during the period under review, the nature of the violence perpetrated by the IDF was of an aggravated kind. A fieldworker of the B'tselem human rights organization informed the Special Committee that the Israeli security forces had killed 49 Palestinians since the signing of the Cairo Agreement. The Special Committee was also informed that Israeli soldiers now sought to ensure the death of a person by repeatedly shooting at the head at close range. In addition, the activities of undercover units were said to continue unabated. Undercover units are also reported to have carried out operations against wanted persons in areas under the control of the Palestinian Authority. The Jerusalem Post reported that, on 3 November 1994:

> "The existence of a Border Police undercover unit ... which operated in the heart of Palestinian villages and towns was officially admitted for the first time. The President of Israel is reported to have said on that occasion that 'such units must continue to operate in order to ensure that Israeli remained strong'."

The Jerusalem Post reported that the Israeli Health Minister had revealed on 3 January that "special units were charged with locating and eliminating terrorist cells before they set out on missions against Israelis".

744. The killing of prominent Islamic Jihad activist Hani Abed with a car bomb on 2 November 1994 has been attributed to Israeli undercover units. This was reportedly also the case with the killing of four persons in Beit Liquia near Ramallah on 4 January 1995. Witnesses told the Special Committee that undercover units were responsible for the killing of three wanted members of Hamas in Hebron on 16 April. The killings described above amount to extrajudicial executions. In addition to the persons who were wanted by the Israeli forces, innocent persons were also killed on such occasions, especially if they were in the same car. As concerns the procedure described by the representative of a human rights organization as that "ensuring death", the fieldworker of the human rights organization B'tselem described one of three recent cases, namely the killing of a person on 5 October 1994 in Hebron, which was also filmed by a news photographer. Although the person was already described as having been critically wounded, a soldier reportedly approached the body and fired a bullet in his head from a distance of 2 metres.

745. On 29 June 1995, a wanted Hamas activist was shot by an undercover unit in Hebron. The two houses in which he had been hiding were reportedly destroyed with anti-tank missiles and levelled by bulldozers. In addition, groves and vineyards in the vicinity of the houses on both sides of the road were reportedly uprooted. In October 1994, the house of the suicide bomber who perpetrated the bus bombing in Tel Aviv was demolished. This has not been the case, however, with the house of Baruch Goldstein, who was also the member of a now outlawed movement. The Special Committee has noted that a number of persons, including children, have been killed by unexploded ordnance left behind out of negligence by the Israeli army in pastures that used to serve as fields for military practice.

746. A considerable source of tension that is thought to have prevented the smooth development of the peace process is the question of the some 5,400 Palestinian prisoners who continue to be incarcerated in Israeli prisons and detention centres run by the prisons authority and the army in the occupied territories and Israel. Large-scale arrests of members of the Hamas movement have been undertaken in the wake of suicide bombings and other attacks on Israeli civilians and military personnel perpetrated by its members. It has been reported that more than 4,000 Hamas activists have been apprehended since the suicide bus bombing in Tel Aviv on 19 October 1994. Members of the Islamic Jihad have also been arrested during similar operations. Several hundreds of those arrested have reportedly been placed in administrative detention. On 5 February, the maximum period of administrative detention was extended from six months to one year, renewable. There were 239 persons in administrative detention at the end of 1994. The maximum period that a person could be held before being brought before a judge was reduced officially from 18 to 11 days. According to reports by Amnesty International, detainees have been held without access to lawyers for up to 30 days and without access to families for up to 140 days.

747. According to the information that has come before it and the testimonies of the witnesses it heard during the period under consideration by the present report, the conditions of detention and treatment of prisoners detained in Israeli prisons have deteriorated. This was confirmed by the Director of the Mandela Institute for Political Prisoners, who explained that even some of the things achieved by prisoners as a result of their hunger strike in 1992 had been lost. The Israeli prison authorities justified the lack of improvement in the conditions of detention by the fact that most prisoners were to be released under the terms of the peace agreements. The absence of release of eligible prisoners has had an adverse psychological effect since their hopes in this respect so far have been dashed.

748. Also, a matter of particular concern to the Special Committee has been the aggravated forms of torture frequently used in interrogating persons arrested for security reasons, sometimes resulting in their deaths. In a report released in May 1995 entitled "Human rights: a year of shattered hopes", Amnesty International stated that the torture of detainees under interrogation had become more severe immediately after the suicide bombing in Tel Aviv on 19 October 1994. "Exceptional dispensations" were given to GSS interrogators for a period of three months. It should be recalled that interrogations by the GSS have been regulated by secret guidelines, which were established by the

Landau Commission in 1987 and which allowed the use of "moderate physical pressure". Harsher interrogation methods enabling investigators to act "efficiently" in cases such as a "ticking time bomb" were introduced after the Tel Aviv attack. Such methods of interrogation include hoodings, beatings, prolonged sleep deprivation and shackling, prolonged standing or sitting in painful positions, which amount to torture. This is how Dr. Ruchama Marton, founder and Chairperson of the Association of Israeli-Palestinian Physicians for Human Rights, described the GSS practice of using "moderate physical pressure":

> "Regarding this shameful definition of 'moderate physical pressure', everybody knows, maybe not this very respectable old judge who found this terminology, but otherwise everybody knows, it is common knowledge, that this 'mild physical pressure' is another word for torture, a euphemism for torture, and for systematic torture. Not occasional cases."

749. Torture or ill-treatment are unconditionally forbidden by several international treaties and no justification may be used by States to derogate from their obligations under those treaties. Dr. Marton described the various methods of torture used in Israeli prisons and their consequences:

> "One of them is 'hooding', putting a kind of bag on the head, a bag which is, most of the time, a heavy thing covering not only the head, but the face also, down to the chest. It makes it very difficult to breathe and for people suffering from asthma or any other pulmonary diseases, it is very dangerous and can even lead to death (which has happened). Hooding can last for hours. Standing for hours is also a method used. Standing for long is very difficult and painful. Being put in all kinds of body positions, hands tied behind the back, or tied to a column, not being able to stand or to sit properly, or to lie down properly, because of the way one is tied up. All kinds of beatings and hittings also take place."

As a result of the interrogation methods described above, Abdel-Samad Harizat, a 28-year-old prisoner from Hebron, died after only one day of interrogation at the Moscobiya Compound in Jerusalem. Dr. Marton provided the Special Committee with the following explanation of the causes of Mr. Harizat's death:

> "Through these violent movements, the brain is pushed against the closed capsule of the skull, causing small or big haemorrhages in the cover of the brain, which might be fatal or might cause, if not death, but brain damage that we call in medicine 'post-concussion syndrome'."

750. On 23 January, the "exceptional dispensations" accorded to GSS interrogators were extended for three months. On 12 April, they were extended once again. On 23 July, the ministerial committee on the GSS decided to extend by 10 days the interrogation methods allowed by the "exceptional dispensations".

751. The principal complaints voiced by prisoners against their conditions of detention concern the quality and quantity of food they receive, the overcrowding of cells, prolonged exposure to inclement weather conditions, repeated head counts, including during the night, lack of cleanliness, insufficient medical treatment and solitary confinement. The Special Committee's attention has been drawn to the practice of Israeli prison guards of

placing mentally ill prisoners in solitary confinement, which aggravates their condition. The conditions of detention of some 600 prisoners detained at the Fara prison were described as particularly difficult, involving beating and other types of humiliation. On 28 June, tear-gas was used against prisoners by the guards at Dhahariya prison. As a result of medical negligence "in the extreme", consisting of inappropriate and delayed treatment as well as a late transfer to a hospital, 28-year-old prisoner Mazouz Dalal from Kalkiliya died on 8 April after having been detained in Jneid prison. Mr. Dalal was even told at one point that his ailments were "psychosomatic".

752. A situation that has generated considerable tension among the population of the occupied territories and has jeopardized the peace process has been the issue of release of Palestinian prisoners in accordance with the terms of the Israel-PLO Agreement on the Gaza Strip and the Jericho Area, which stipulated the release of 5,000 prisoners within five weeks. Although the Israeli authorities have so far released some 3,500 Palestinian detainees, some 5,400 prisoners still remain in Israeli detention centres. On 18 June, Palestinian prisoners went on an open-ended hunger strike to protest the Israeli policy concerning prisoner releases. In a press release dated 20 June, the Gaza Centre for Rights and Law accused the Israeli authorities of using the problem of prisoners as a means for a political bargain whereby they interrelated release of Palestinian detainees/prisoners with comprehensive pardon of "collaborators". The prisoners ended their hunger strike on 7 July.

753. During the period under review, deficiencies continued to be noted in the administration of justice by the Israeli authorities. The Special Committee, however, noted with interest the precedent-setting labour court ruling on 7 June, which awarded full severance pay amounting to 20 months' wages to a Palestinian worker who had been dismissed from his job in Israel because of the closure after having worked 20 years for the same company. The Committee also noted with interest the sending of two Palestinians for retrial after irregularities had been discovered in the judicial procedure. The Special Committee also noted as being a positive development that over the past months military committees had been examining the requests of Palestinians who were expelled by the security forces before the intifadah to return to their homes in the West Bank. Some 15 requests had reportedly been approved by the beginning of April. The Special Committee also noted that in the course of the reporting period fewer demolition orders had been issued with regard to houses owned by Palestinians and that the number of approvals of requests for family reunification had increased.

754. As concerns expulsions during the period under review, on 25 June, Fathia Shukaki, the wife of a leader of the Islamic Jihad movement, was expelled from Jerusalem under an Interior Ministry order after her petition to reside in the City had been rejected. On 21 July, the Israeli authorities are reported to have ordered the deportation from Al-Bireh of two Palestinian Americans.

755. The severity of the sentences handed down to Palestinians continued to contrast sharply with those meted out to Israelis and settlers. Ha'aretz reported that on 3 April the Natania Magistrate's Court had sentenced a Palestinian from Tulkarm to three years' imprisonment plus two years suspended for staying in Israel illegally. Ha'aretz and The Jerusalem Post reported that

a Palestinian journalist had been sentenced to a two-year suspended prison term and the payment of an NIS 15,000 fine for writing articles praising the intifadah. In the same article, it was indicated that two months before, a Jew had been sentenced to a four-month suspended prison term and the payment of an NIS 1,000 fine for praising the Ibrahimi Mosque massacre. It has been reported that the trials of settlers who committed offences against Palestinians in the occupied territories were held in civilian courts two to three years after the act. The Special Committee noted that the trial of Mr. Abdul Aziz Rantisi, the spokesman for the 415 Palestinians who were expelled to southern Lebanon in December 1992, was postponed for the twentieth time on 5 July.

756. The Special Committee noted with concern the news that appeared in Ha'aretz and The Jerusalem Post on 1 May according to which the head of the GSS had decided to transfer to other assignments one of the two GSS agents who had been involved in the interrogation of detainee Abdel-Samad Harizat who died as a result of his interrogation. The two newspapers reported that on 7 June the State Attorney had announced that the GSS investigator who had conducted the interrogation that led to the death of Harizat would not face criminal charges, but would only be brought before a disciplinary tribunal.

757. In the course of the period covered by the present report, the population of the occupied territories has continued to be subjected to harassment by Israeli authorities. The treatment of Palestinian workers passing through checkpoints at the border crossings between the occupied territories and Israel has been described by witnesses as being similar to the treatment of cattle in milking stalls. Persons and vehicles are thoroughly searched, often after passing long hours in queues. It was reported that on 17 April a coffin as well as all the participants in the funeral underwent a detailed search at a border crossing despite the fact that all the necessary papers were in order. Numerous Palestinian officials have been abused both verbally and physically at checkpoints and border crossings. A common occurrence is the arbitrary and unjustified harassment of young men in the street whose identity cards have been torn for no reason on numerous occasions. A particularly disquieting occurrence is the constant harassment and attacks of settlers on Palestinian civilians, in particular in Hebron. Patients and medical workers were subjected to raids at the Makassed and Hadassah hospitals on 2 and 8 April, respectively, when masked units of the Border Police raided the hospitals in search of wanted Palestinians who had been wounded.

758. During its visit to Jordan in May, the Special Committee was able to observe personally the long lines of buses with pilgrims returning to the occupied territories from Mecca, which were forced to wait in very hot weather for long hours and overnight on the Jordanian side of the border in order to cross the King Hussein Bridge, and the hardships they endured as a consequence.

759. Palestinians have continued to be dependent in many areas on the Israeli Civil Administration and are subjected to what amounts to administrative harassment. The delays in obtaining permits are extremely long and the applicants are often given contradictory answers by different officials. Many applications are refused in an arbitrary manner.

760. During the period under consideration, the Special Committee has continued to receive information on the situation of human rights in the occupied Syrian Arab Golan. The Special Committee wishes to recall the position taken by the General Assembly in its resolution 49/132 that Israeli settlements in the Palestinian territory, including Jerusalem, and other Arab territories occupied since 1967, are illegal and an obstacle to economic and social development. The General Assembly also reaffirmed the inalienable right of the Palestinian people and the population of the Syrian Golan to their natural and all other economic resources, and regards any infringement thereof as being illegal.

761. The situation in the occupied Syrian Arab Golan did not change significantly during the period under review despite the continuing negotiations. The problems linked to the affirmation by the citizens of the Golan of their Syrian national identity have continued and a number of persons have been arrested in that connection. The Israeli authorities have relentlessly pursued their settlement policy. Practices amounting to administrative harassment have also continued, as has the confiscation of water resources. The Israeli authorities have seized control of Lake Ram for that purpose and have imposed restrictions on the use of water. Water consumption in the occupied Syrian Golan was said to be subjected to the full control of the Israeli authorities and was reportedly managed through a quota system under which the annual per capita volume of water supplied to Syrian citizens was reported to amount to 120 cubic metres, while the settlers received an annual per capita volume of 600 cubic metres. Syrian citizens were reportedly charged $1.6 per cubic metre of water, while the settlers were charged only $0.6 for the same amount. In addition, orders have been issued to demolish rain-water reservoirs used for irrigation.

762. The settlers from the Golan Heights launched a campaign aimed at sensitizing Israeli opinion to the need for the Golan to remain under Israeli control and investment in both housing and industry has increased.

763. The Special Committee wishes to recall the position taken by the General Assembly and the Security Council that the annexation by Israel of the occupied Syrian Arab Golan is illegal, and therefore null and void. It hopes that the negotiations concerning the Golan within the framework of the Middle East peace process will make further progress in the near future.

764. In conclusion, it should be recalled that the international community had great expectations and hopes that the signing of the Declaration of Principles on Interim Self-Government Arrangements would usher in a new era of peace, security and hope for the peoples of the Middle East that would enable them to live together in harmony, dignity and mutual respect. This hope and optimism were further reinforced by the signing of the Israel-PLO Agreement on the Gaza Strip and the Jericho Area, which was a good omen for the future.

765. The historic events mentioned above have not, however, brought the Israeli occupation to an end nor have they improved the situation as to the observance of human rights. As a result, the hopes and aspirations of the Palestinian people remain unfulfilled and the promise of a new life has become a chimera. Instead, various coercive measures, mechanisms and devices designed to prevent

the free enjoyment of human rights have been adopted and have become a form of institutionalized violence against the Palestinian people.

766. The progress achieved in the negotiations within the framework of the peace process must be accompanied by full compliance by Israel of all universally accepted standards of human rights, in particular the Universal Declaration of Human Rights and the provisions of several international instruments ratified by Israel such as the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in addition to a number of resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs, UNESCO, WHO and ILO.

767. The Special Committee has throughout its work borne in mind and felt the need to safeguard the peace efforts, yet observes that unless renewed efforts are made to arrive at the full enjoyment of human rights by all the inhabitants of the occupied territories and the region, support for the peace process will erode and give way to frustration and despair. All the parties concerned must work together on confidence-building measures and should strive to maintain the momentum of the peace process. This is the only way to strengthen the important achievements so far towards a just, lasting and comprehensive peace in the region that would lead to the establishment of a true culture of human rights for all.

768. The Special Committee hopes that its findings will be taken into account when concrete measures are drawn up in order to give life to the spirit of the recent important developments. In the meantime, it wishes to recommend once more the implementation of measures that would safeguard the basic human rights of the Palestinian people and other Arabs in the occupied territories. The Special Committee reiterates that such measures would include the following:

(a) The full application, by Israel, of the relevant provisions of the Fourth Geneva Convention, which remains the main international instrument in humanitarian law that applies to the occupied territories, and whose applicability to those territories has repeatedly been reaffirmed by the Security Council, the General Assembly and other relevant organs of the United Nations;

(b) The full compliance with all resolutions pertinent to the question of the occupied territories as adopted by the Security Council, the General Assembly, the Economic and Social Council, the Commission on Human Rights, as well as other relevant resolutions adopted by UNESCO, WHO and ILO;

(c) The full cooperation of the Israeli authorities with UNRWA representatives and full respect by the Israeli authorities of the privileges and immunities that the Agency enjoys as an international body providing humanitarian services to Palestinian refugees in the occupied territories;

(d) The full cooperation of the Israeli authorities with the International Committee of the Red Cross in order to protect detained persons, in particular by ensuring full access of representatives of the Committee to such persons;

(e) The full support, by Member States, of the activities of UNRWA and the International Committee of the Red Cross in the occupied territories in order to enable both organizations to maintain and improve the assistance provided to the refugee population and to detained persons;

(f) The full cooperation of the Israeli authorities with the United Nations Special Coordinator in the Occupied Territories;

(g) Renewed efforts by Member States to convince Israel of the need for increased human rights protection through international monitoring of human rights. This should include enabling the Special Committee, as the main body established by the General Assembly for the protection of human rights in the occupied territories, to perform its functions more effectively by allowing it to have access to the occupied territories;

(h) Full cooperation by Israel with the United Nations Centre for Human Rights as regards the implementation of human rights advisory assistance programmes in the areas falling under the Interim Self-Government Arrangements;

(i) The Special Committee would like to appeal to Israel to act in conformity with the spirit animating the peace process by giving serious consideration to the following concrete measures:

(i) With regard to a better protection of the right to life and physical integrity, establish rules of engagement for its security forces that are clear and fully respect human rights standards, and apply open-fire regulations strictly in conformity with the principles of necessity and proportionality; exercise utmost restraint in responding to outbreaks of violence and fully investigate all incidents of shooting; put an immediate end to the activities of undercover units and, in particular, to extrajudicial and summary executions perpetrated by such units;

(ii) Exercise strict control over any abuses perpetrated by settlers, in particular with regard to their use of arms, and review the policy of arming settlers; prevent acts of violence by settlers and intervene if they are taking place; carry out full and impartial investigations of acts of violence perpetrated by settlers and bring to justice those who are responsible;

(iii) Review as a whole the policy regarding settlements, which continue to represent an obstacle to peace and security in the region, halt their expansion and put an end to the ongoing policy of land confiscation; stop exerting pressure on Arabs in East Jerusalem to sell their houses to members of the Jewish community;

(iv) Enforce the law equitably by ensuring all legal safeguards provided for in universally recognized human rights standards for the Arab population of the occupied territories and the prompt, thorough and impartial administration of justice, with penalties for both Israelis and Arabs commensurate with the gravity of offences committed;

(v) Put an immediate end to interrogation practices amounting to torture and ill-treatment; rapidly and thoroughly investigate the persons identified as responsible for such practices by independent judicial bodies and prosecute them; review and publish in full the guidelines concerning interrogation procedures so that they are transparent and in keeping with international human rights standards Israel has acceded to;

(vi) Review the situation of all Palestinian and other Arab prisoners, especially political detainees or persons having committed non-violent crimes, and expedite their release; refrain from detaining residents of the occupied territories within Israel and improve conditions of detention in conformity with the Standard Minimum Rules for the Treatment of Prisoners adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders on 30 August 1955 and approved by the Economic and Social Council by its resolutions of 31 July 1957 and 13 May 1977;

(vii) Allow all persons who were deported or expelled from the occupied territories to return and, where applicable, have their properties restituted;

(viii) Put an end to all measures of collective punishment that affect adversely the economic and social situation of the population of the occupied territories and hinder the enjoyment of a number of fundamental rights and freedoms such as that of movement, education, religion and expression, and also refrain from the imposition of curfews and closures and the destruction of property such as the demolition of houses and the uprooting of trees, as well as discriminatory measures concerning the use of water resources.

769. The Special Committee feels that the implementation of these recommendations would contribute immensely to the strengthening of the peace process, enabling all the people of the occupied territories and in the region to live in harmony, dignity, peace and security.

VI. ADOPTION OF THE REPORT

770. The present report was approved and signed by the Special Committee on 18 August 1995 in accordance with rule 20 of its rules of procedure.

Notes

1/ Documents A/8089; A/8389 and Corr.1 and 2; A/8389/Add.1 and Add.1/Corr.1 and 2; A/8828; A/9148 and Add.1; A/9817; A/10272; A/31/218; A/32/284; A/33/356; A/34/631; A/35/425; A/36/579; A/37/485; A/38/409; A/39/591; A/40/702; A/41/680; A/42/650; A/43/694; A/44/599; A/45/576; A/46/522; A/47/509 and A/48/557.

2/ Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8237; ibid., Twenty-sixth Session, Annexes, agenda item 40, document A/8630; ibid., Twenty-seventh Session, Annexes, agenda item 42, document A/8950; ibid., Twenty-eighth Session, Annexes, agenda item 45, document A/9374; ibid., Twenty-ninth Session, Annexes, agenda item 40, document A/9872; ibid., Thirtieth Session, Annexes, agenda item 52, document A/10461; ibid., Thirty-first Session, Annexes, agenda item 55, document A/31/399; ibid., Thirty-second Session, Annexes, agenda item 57, document A/32/407; ibid., Thirty-third Session, Annexes, agenda item 55, document A/33/439; ibid., Thirty-fourth Session, Annexes, agenda item 51, document A/34/691 and Add.1; ibid., Thirty-fifth Session, Annexes, agenda item 57, document A/35/674; ibid., Thirty-sixth Session, Annexes, agenda item 64, document A/36/632/Add.1; ibid., Thirty-seventh Session, Annexes, agenda item 61, document A/37/698; ibid., Thirty-eighth Session, Annexes, agenda item 69, document A/38/718; ibid., Thirty-ninth Session, Annexes, agenda item 71, document A/39/712; ibid., Fortieth Session, Annexes, agenda item 75, document A/40/890; ibid., Forty-first Session, Annexes, agenda item 71, document A/41/750; ibid., Forty-second Session, Annexes, agenda item 75, document A/42/811; ibid., Forty-third Session, Annexes, agenda item 77, document A/43/904; ibid., Forty-fourth Session, Annexes, agenda item 77, document A/44/816; ibid., Forty-fifth Session, Annexes, agenda item 75, document A/45/823 and Corr.1; ibid., Forty-sixth Session, Annexes, agenda item 73, document A/46/639; ibid., Forty-seventh Session, Annexes, agenda item 74, document A/47/612; and ibid., Forty-eighth Session, Annexes, agenda item 86, document A/48/557.

3/ Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8089, annex III.

4/ United Nations Treaty Series, vol. 75, No. 973, p. 287.

5/ Ibid., No. 972, p. 135.

6/ Ibid., vol. 249, No. 3511, p. 215.

7/ Carnegie Endowment for International Peace, The Haque Conventions and Declarations of 1899 and 1907, New York, Oxford University Press, 1915.

8/ General Assembly resolution 2200 A (XXI).

9/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 18 (A/49/18), para. 87.

MAP SHOWING ISRAELI SETTLEMENTS ESTABLISHED IN THE TERRITORIES OCCUPIED IN JUNE 1967

- Israeli settlements — Golan Heights 44; West Bank 246; Gaza Strip 33
- Settlements reported to have been expanded since October 1994
- Town selected for reference purposes

The present map reflects information concerning Israeli settlements which has been submitted to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Special Committee or the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

A number of settlements in the Occupied Territories were reported to have been expanded since the 25th report of the Special Committee (A/48/557). For ease of reference, these settlements have been marked in red color. Among the settlements in the West Bank which were established but not located, Oranit was said to have been expanded. Among the settlements in the Gaza Strip which were established but not located, Guch Katif and Nissanit have reportedly been expanded.

Settlements in the West Bank, established but not located:

Alei Zahav
Amon Hanatzif
Beit Hadassah
Bnei Hever
Daboya
Eitmar
El David
Emmanuel
Hadar Bitar
Hagai
Halamish
Har Adar
Har Adar 'B'
Har Homa
Hermesh
Hirbert Zanoah
Itamar
Kadim
Kiryat Kimenech
Kiryat Sever
Kokhav Yair
Ma'aleh Levona
Maccabim
Mevo Dotan
Nahal Zurim
Neria
Omarim 'B'
Oranit
Psagot David
Quedar
Ramat Modiin
Sufin
Tinayei
Tzmirot
Tzurigai
Yaarit
Yitlan

Settlements in the Gaza Strip, established but not located:

Etaniel
Gush Katif
Nissanit
Tsofin

Settlements in the Golan Heights, established but not located:

Ein Kanaf
Dallot
Kanaf

LEBANON
SYRIAN ARAB REP.
JORDAN
MEDITERRANEAN SEA
ISRAEL
EGYPT
GAZA
WEST BANK
GOLAN HEIGHTS
Haifa
TEL AVIV
Netanya
Tulkarm
Nablus
Jenin
Queitra
Tiberias
Lake Tiberias
Ramallah
Jericho
Jerusalem
Hebron
AMMAN
Rafah
Gaza
Armistice Demarcation Line
Jordan
DEAD SEA

34°30' 35°00' 35°30'
33°00' 32°30' 32°00' 31°30' 31°00'

0 10 20 30 km
0 5 10 15 20 mi

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